

**REPORT OF THE COMMISSION OF ENQUIRY INTO THE  
CIRCUMSTANCES ASSOCIATED WITH THE DEATH OF  
DYLAN JEAN-EVE SAVIO ROSE**

Date:-

27 September, 2017

Commissioner:

**BERNARDIN RENAUD**

**JUSTICE OF THE COURT OF APPEAL OF THE SEYCHELLES**

REPORT OF THE COMMISSION OF INQUIRY INTO THE CIRCUMSTANCES  
ASSOCIATED WITH THE DEATH OF DYLAN JEAN-EVE SAVIO ROSE,  
WHOSE BODY WAS REPORTEDLY FOUND IN AN ABANDONED HOUSE,  
IN MONT BUXTON, IN THE MORNING OF FRIDAY 19 MAY, 2017.

ESTABLISHED ON THE 30 MAY, 2017, BY HIS EXCELLENCY THE  
PRESIDENT OF THE REPUBLIC OF SEYCHELLES, MR. DANNY FAURE, IN  
EXERCISE OF HIS POWERS UNDER THE COMMISSIONS OF INQUIRY ACT  
(CAP 39).

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1. **CHAPTER 1:- APPOINTMENT OF COMMISSION OF INQUIRY**

2. By a letter dated 30 May, 2017, the President of the Republic of Seychelles, Mr. Danny Faure, appointed me, Justice Bernardin Renaud, of the Court of Appeal of Seychelles, as sole Commissioner, in terms of Section 2 of the Commissions of Inquiry Act (Cap 39) ("the Act"), to lead an Inquiry into the circumstances associated with the death of Dylan Jean-Eve Savio Rose ("**Dylan**"), whose body was reportedly found in an abandoned house, in Mont Buxton, in the morning of Friday 19 May, 2017. The Letter of Appointment is found at Appendix 1.
3. On 2 June, 2017, I took the oath before the President of the Republic of Seychelles, Mr. Danny Faure, as required by the Act, before assuming my functions under the Commission. A copy of the oath is to be found at Appendix 2.
4. The appointment was published in the Official Gazette No. 42 XLII dated 9 June, 2017, as entry No.699 of 2017, Appendix 3.
5. I was asked to submit the Report of the Inquiry at the earliest convenience, if possible by 14 July, 2017. Having accepted to undertake the Inquiry, I endeavoured to complete it as soon as possible, but delay occurred due to the late receipt of pertinent information from concerned Institutions/Authorities, circumstances beyond my control and the fact that I was performing my other functions as a Judge and Justice of Appeal.

6. **CHAPTER 2:- COMMISSIONS OF INQUIRY ACT (Cap 39) – THE ACT**

7. The Act empowers the President, Mr. Danny Faure, to commission such an Inquiry. I read Section 2(1) of the Act —

*"The President may, whenever he shall deem it advisable, issue a Commission appointing one or more Commissioners to inquire into*

*—*

- (a) the conduct of any officer in the public service; or*
- (b) the conduct or management of any department of the public service, or of any public or local institution; or*
- (c) any matter relating to the public service; or*
- (d) any matter of public interest or concern; or*
- (e) any matter in which an inquiry would be for the public welfare."*

8. According to the Gazette notification, this Inquiry came under the provisions of (a) to (e) above.

9. Section 8 of the Act defines the duties of the Commissioner as follows —

*"8. The Commissioner(s) shall, after taking the oath or making affirmation prescribed in section 6, make full, faithful and impartial inquiry into the matter specified in the Commission, and shall conduct such inquiry in accordance with the directions (if any) in the Commission, and, in due course, shall report to the President in writing the result of such inquiry; and also, when required, shall furnish to the President a full statement of the proceedings of the Commission, and of the reasons leading to any conclusion arrived at or reported."*

10. The Act also empowers the Commissioner to regulate the proceedings of the Commission including the power to summon and examine witnesses.

11. **CHAPTER 3:- METHODOLOGY**

12. A Public Notice was published in the "Nation" newspaper, broadcasted on the SBC Radio and advertised on the SBC TV for a week, inviting any person who had relevant information relating to the life and circumstances leading to the death of Dylan, to contact the Commissioner by phone, SMS or e-mail. The telephone number and e-mail address were published. (Appendix 4 collectively).
13. A letter was sent to every Institution that had dealt with Dylan or his mother, Miss Saviona Urma Rose ("**Saviona**") or both, to submit to the Commissioner, the names of personnel, from whom the Commissioner may obtain relevant information (Appendix 5).
14. Responses were forthcoming from some Institutions only. The Ministry of Education promptly submitted the names, addresses and contact numbers of its personnel. Each person named promptly submitted a report at the request of the Commissioner.
15. The Ministry of Family Affairs (Department of Social Services), the Commissioner of Police and the Ministry of Health did not respond. Summons were sent to each of them to attend the hearing held in Court No. 8 at the Palais de Justice, Ile Du Port. At the hearing they were informed of what the Commissioner expected them to report on. The Ministry of Family Affairs (Department of Social Services) promptly forwarded a file containing all dealings with Dylan and Saviona. The names of those personnel who had dealt with Dylan were submitted and each person named submitted a written statement.
16. All written statements were meticulously reviewed and analysed and any unclear points/issues were addressed.

17. **CHAPTER 4:- ANALYSIS AND SYNOPSIS OF STATEMENTS**

18. The Report of the Inquiry contains a synopsis of relevant and pertinent information/evidence gathered from the Commission's analysis of the exhibits, reports, statements and oral testimony laid before it.

19. **CHAPTER 5:- THE INTERIM REPORT**

20. On 13 July, 2017, I met the President of the Republic of Seychelles, Mr. Danny Faure, and informed him of the progress made in the Inquiry. I shared with him a synopsis of my findings based on the information collected so far. I also gave him a preview of what my recommendations would entail. I informed him that the final Report will be completed by mid-September, 2017.



21. **CHAPTER 6:- FACTS IN BRIEF**

22. **DYLAN**

23. Dylan was born at Victoria, Mahe, Seychelles on 22 June, 2003 (Appendix 6). Dylan is the natural and acknowledged son of Saviona. He was declared dead on 19 May, 2017 (Appendix 7). A photo of Dylan is part of the Report as Appendix 8.
24. Dylan gave a Statement to the Police, in Creole, on 10 May, 2017, 9 days before he was found dead. The translated statement is reproduced hereunder. The Statement to the Police revealed the views, sentiments, experiences and dispositions of Dylan at the material time.

*"My name is Dylan Rose. I am 13 years old. I live at Union Vale with my mother Saviona Rose, my little brother Isham Rose who is 1 year old and my step father Yannick Mathiot. I also have a little sister namely Grace Rose who is 3 years old who was also living with us, but since March 2017 she is staying at my godmother Florence Dodo La Gogue.*

*I want to state to the police that when I was about 9 years old and my mother's behaviour towards me started to change. We stopped communicating with each other like before. My mother didn't listen to me and she started to beat me wildly for a simple thing. It was during the same time that my mother had stopped working and she was staying at home.*

*During that time we were living in a house at La Louise at one of my mother's friend namely Nadia but I don't know her signature. At the house Nadia, her boyfriend Rico which I don't know his signature and her daughter Raphaella who was 16 years old were using heroin drugs and my mother started to use heroin drug together with them.*

*The heroin drug that my mother was using was a powder color white. My mother took the drug of heroin by using foil and she used her drugs in front of me together with the three other people inside that house. My mother used the drug of heroin every day and she was not working but she had money on her bank account that she was using to buy drugs with.*

*During that time I was in primary at the La Rosiere School but I often missed school because my mother made me stay at home to do the chores like washing the dishes, cooking food because when she takes her Heroin drugs she cannot do anything.*

*During the year 2014, I don't remember which month, we moved to Union Vale in a flat at my step father Andrick Songoire. At that time my mother was pregnant with my little sister Grace and the father of Grace is namely Steven Anglaisy who also moved with us at Union Vale.*

*I want to state that my mother was not working and Steven also was not working and they were both using heroin drugs which they used it every day. Steven is the one who usually goes to find the drug for them to use but when he was not there my mother went to buy the drug herself, but I don't know where she got the money to buy drugs because she was not working.*

*I want to state that when my mother was pregnant with my little sister Grace she continued to use the heroin drugs. After that my mother had got my little sister I went to school rarely because I had to take care of Grace. I bathe her, I changed her and I played with her. My mother took care of her when she could, but when she had finished using her drugs during the day she couldn't take care of Grace so I had to take care of her.*

*I want to point out that there had been times where we did not have food in the house and I had to go to my grandmother Risa Dodo who lives at Union Vale to get some food.*

*It has been times when my mother had left Grace with a man namely Michel Labonte who lives in a flat near us when she goes to buy her drugs. She left Grace at Michel's place only during the day when she was not there.*

*I want to add that my mother had also used instrument with me when we get into a discussion. She had once cut me on my arm with a knife and also stabs me with a screwdriver on my arm and on my feet. I want to state that when those things happen I informed the police and even Miss Angel who is my social worker and even if they talked to my mother nothing change because she continues using her heroin and she continues to beat me.*

*During the year 2015 I do not remember when but I started to sleep at the bus terminal during the night because I could not live at home with my mother because thing had not change. My mother was still*

*using heroin and she was not working. Several times during the night the police pick me up and took me to the Perseverance Police cell, but even if they released me I continued to stay on the road because I couldn't go back home because of all the conflict that was going on between me and my mother.*

*Social services made procedure and on the 3rd June 2015 I went to President Village. I stayed at the President Village for about 1 year and in June 2016 I came out from President Village and went back to my mother at Union Vale. I want to state that during the time that I was at the President Village my mother had never visited me. When I went back home my mother had got another baby who is my little brother namely Isham.*

*When I returned home my mother was still using heroin drugs but things had changed between us because we could communicate well together. At that time Yannick Mathiot who was the father of Isham who was also living there and he also uses heroin but he works.*

*After sometimes things went back to the way it was before between me and my mother, where we argued and fight but things became worse than before. Even if my mother was using heroin and he was not working she took care of Isham very well.*

*I don't remember why exactly, but after that I went out from my mother's place at Union Vale and I stayed on the road and it was then that I started to steal and several times the police arrested me and put me in the cell. After that I was brought to Court and I was put at the Perseverance (Police) cell for 4 months for a place of safety because social services had stated that I don't have a place to stay. During the 4 months that I was in cell my mother had never come to me, but only the workers from social services that came to visit me. My step father Andrick also came to visit me and he brought things for me.*

*After 4 months I went back to Court and the judge asked me if I think that I will be safe to go back home and I said yes. I said yes not because I wanted to go to my mother but because I was tired at the Perseverance police station.*

*When I returned home things were okay between me and my mother but then things went back to the way it was before where we argued and fight. When I returned at the house my mother was still using heroin and Yannick was still at home.*

*I want to state that since Monday 8th May 2017 I was not living at my mother's, I left because we had argued because I had burned food and my mother stabbed me with a knife in my left hand. Monday (8th) the police arrested me on a warrant and they brought me to court and then I got release and on Tuesday 9th May 2017 they arrested me on another warrant and they brought me to Court and then I was released. Tuesday 9th May 2017 at night I was on the road, the police saw me and they made body search on me, they saw a knife with me and it was then that they brought me at the Beau-Vallon cell.*

*I want to state to the police that I would like to stay another place. I don't want to stay with my mother because I see that she is not interested with me and she is not taking care with me.*

*I want to state that I know that I can change and I want to change but the environment at my mother at Union Vale is not an ideal environment for me to stay there and that would help me to change.*

*I want to add that social services had placed me some places before. They had placed me to my godmother Florence Dodo and at Maureen Renaud but I didn't live at the two places for long because I was not ready to change my life but now I feel that the moment has arrived for me to change my life but at my mother's is not the place for me to make the necessary changes in my life."*

Statements collectively as Appendix 9.

25. The Police found a handwritten note in Dylan's pocket (Appendix 10) when his body was collected after his death. The note expressed his love for Saviona, his siblings, his step father and his father. Dylan hoped to become a pilot. He also kept a list of his material contacts.

*"My family is Saviona, Grace, Isham, Dylan I love my family a lot. The story of my life, once I have a step father Hendrick Songoire. He was the only one that make me somebody today. I do not know my real father. He was Daniel Sidonie. He was a seil (thief) and love him as he is. I always want to be a pilot. My dream is still (seal) where to be a pilot.*

*I started stealing from car and I end up in jail. Montagne Posee.*

Cots: 2889939  
 Grandmother: 2546481  
 Sidonie: 628303  
 Solange: 2724566  
 Lasanble: 4285600  
 Saviona: 2557351  
 Jules: 2722982  
 Fock-Tave: 2516341 (*caritas plizyer fwa*)  
 Hendrick: 2724998  
 State: 4295614  
 Work A. Christopher: 2513700  
 Carlos: 2551618 or 2565499  
 Yami: 2541482  
 Hillary: 2541412 2572597  
 09:00 hrs - Jules Hoareau  
 09:00 hrs – Mrs. Fock-Tave".

26. When Dylan completed his session at the Seychelles Defence Academy, as part of his rehabilitation programme, under the Alternative Education Programme, the following is what he personally wrote and publicly shared with all those present —

*"I am glad God touched my heart and forgive me the chance to came across this programme and to make me realize that I need to change for my own benefit and to be somebody. Friends and teachers, I am Dylan Rose standing in front of you. I am asking you to forgive me for all the wrongdoing things that I have done. Frankly I want to bring peace into my heart so I can be a better person. Thank you Dylan Rose".*

27. Mr. Robert Ahweng, an experienced Educator/Trainer at CARE, said the following about Dylan in his statement (see Appendix 51)—

- Dylan's childhood consisted of him being raised in an almost single parent home—a family torn apart
- Dylan's father was not physically, emotionally and spiritually present in his life
- Dylan was an intelligent and sensitive child who was at times misunderstood
- Dylan felt that he did not fit in
- Dylan was, surprisingly, capable of a mature level of reasoning
- Dylan would show kindness towards and care for others

- He was emotionally volatile and struggled with being misunderstood, unloved and unaccepted. He was torn apart by his life experiences and emotional conflicts, which led him to abusive and violent comportment
- A feature of his complex character was his natural ability to show initiative and demonstrate leadership qualities when he needed to positively influence others.

28. **SAVIONA - THE MOTHER OF DYLAN**

29. The statement of Saviona is found at Appendix 11.
30. The situation of Saviona is gleaned from various statements contained in the Report. The Commission did not interview her during the Inquiry for the reason that she had just suffered a horrific loss; and that it was of the firm belief that any additional information obtained from her will not assist with the Inquiry.
31. The Report also investigated and considered the relationship between Saviona and Dylan. In relation to Saviona, the Commission concluded, on a balance of probabilities, that she has been addicted to heroin for many years; and that her addiction started when Dylan was 9 years old. At that time she was staying at La Louise with one Steven Anglaisy, her boyfriend, who is the putative father of her second child Grace. Saviona and Steven Anglaisy moved to Union Vale to live with the former's new boyfriend, one Hendrick Songoire, the putative father of Saviona's third child, Isham.
32. In light of the above, the Commission is of the view that Saviona is still using heroin to the detriment of herself and more importantly to that of her other two children.
33. Mr. Robert AhWeng of CARE made the following observations during his interactions with Saviona (see Appendix 51) —
- Saviona comes from a troubled background. There were power struggles and

frequent arguments between mother and Saviona.

- Saviona spent time at the then Youth Residential Treatment Centre on Praslin. An experience which proved to be difficult for her and the Centre. She was strong-headed, rebellious and of a confrontational disposition.

34. **MR. DANIEL SIDONIE - THE PUTATIVE FATHER OF DYLAN**

35. At the time of the Inquiry, the father of Dylan was serving a prison sentence. He did not live with Saviona and Dylan. During the time that he was serving, he was allowed, under a special scheme, to unload Tuna vessels. From his earnings, he sent money to Saviona for Dylan. It appears that Dylan never received that money. Saviona apparently spent the money on drugs. (*See the proceedings of 21 June 2017, at 9. 00 a.m., Appendix 12*).

36. **MINISTRY OF FAMILY AFFAIRS - SOCIAL AFFAIRS DEPARTMENT SOCIAL SERVICES DIVISION COMMUNITY WORK SECTION**

37. The Minister of Family Affairs, Mrs. Jeanne Simeon, accompanied by her Principal Secretary (Social Services), Mrs. William-Melanie, attended the hearing. The new Ministry was incepted on 15 March, 2017. It took over from the Ministry of Health and Social Affairs, the responsibility for social services. The Department of Social Services falls within the new Ministry, which is also the parent Ministry of the Agency for Social Protection.

38. Also in attendance were Miss Angele Jeannevol (Social Worker) as well as Miss Nella Michel (Social Worker) working in the Community Work Section of that Department, who dealt with the case of Dylan.

39. **MINISTER JEANNE SIMEON**

40. Minister Jeanne Simeon is of the opinion that there is no problem of fragmentation of services, but rather individuals or service providers working together in a common effort. However, she admitted that service providers may work in isolation. She underscore that

their primary aim is to work together to help and support children and families facing challenges.

41. She stated that Dylan had engaged in risky behaviours; and that there are about 50 children in an almost similar situation as Dylan.
42. She emphasised that her Ministry is more aware about the importance of preventive care. She expressed her commitment to rehabilitation of children engaged in risky behaviours. She spoke about the lack of a preventive facility. She stated that her Ministry and the Ministry of Education are collaborating on an initiative to set up a preventive facility at Cap Ternay. A pilot centre will be established initially in accordance with the approval of the Cabinet of Ministers. The pilot project is scheduled to run early next year. A steering committee for that purpose has already been set up. The funding being provided by the budget.
43. For the present the Ministry will run a pilot project for 15 to 20 children engaged in risky behaviours near Grand Anse Mahe, School.
44. The new centre will not incorporate a juvenile detention centre and a remand centre. She underscore the need for such centres to be kept separate.

*(See the proceedings of 21 June 2017, at 9. 00 a.m., Appendix 12).*

45. THE PRINCIPAL SECRETARY - MRS. WILLIAM - MELANIE

46. The statements of Mrs. Linda William Melanie are found at Appendix 13.
47. Mrs. William-Melanie also spoke about a juvenile detention centre and remand centre, which according to her will be under the ambit of the Prison Services.



48. She emphasised that there must be a clear distinction between non-offenders and the high-risk juveniles; and that they should never be put together, which was the case at the previous Youth Residential Treatment Centre.
49. She also emphasised that Social Workers cannot handle everything. She recognised that other concerned Institutions/Organisations are giving good services. However, she is of the opinion that more will need to be done. She is strenuously advocating for the establishment of a centre equipped with highly trained personnel and funded to care for high-risk juveniles. She mentioned that there are 2 juveniles (boys) being detained at the Perseverance Police Station. They are being visited by social workers every week.
50. Following the hearing she submitted a statement and statements from Miss Chantal Cadeau – Principal Social Worker, Miss Nella Michel – Senior Social Worker and Miss Angele Jeannevol – Social Worker. She also forwarded the case file of Dylan, including a chronological record of the works undertaken by the Social Workers. The case file and statements demonstrated the support that the Social Services Department through the dedicated Social Workers, gave to Dylan and Saviona.
51. **The statement of Mrs. William-Melanie - The untimely death of Dylan**
52. The death of Dylan shocked her and others terribly. His untimely death was somehow associated with heroin use. She stated that neither the police nor the Social Workers noticed withdrawal during the time that Dylan was held in police custody at Perseverance.
53. She expressed doubts over the real circumstances leading to the death of Dylan. She was of the firm belief that this case should be thoroughly investigated by the Police.
54. **The Statement of Mrs. William - Melanie - Dylan and Saviona**
55. ***On 19 May, 2017, at around 7.45 a.m., Mrs. William-Melanie received a telephone call from a resident of Mont Buxton, who informed her that the son of Saviona, of Union***

*Vale, had been found dead in an abandoned house – "ghetto".* According to the informer, her son, a drug addict, had told her about Dylan's death, when leaving the house at 7 a.m., to get his daily fix in the vicinity.

56. She informed the Director of Social Services. As she could not reach Minister Jeanne Simeon she informed Vice-President Meriton. Vice-President Meriton was shocked and said - *"PS mon ti bat ek li yer swar e dir li mont kot li, demen bomaten al kot DA e fer DA call mwan"*.
57. Minister Jeanne Simeon called Mrs. William-Melanie, who gave her the bad news. Mrs. William-Melanie and the core team, namely Miss Gertrude, Mrs. Cadeau, Miss Nella Michel and Miss Angele Jeannevol, met in her office, at her request. She felt that it was important for them to share a brief moment after Dylan's death and comprehend why Dylan had to meet such an untimely death. In expressing their grief, they felt that Government have failed them by not putting in place services for high risk juveniles.
58. Mrs. William-Melanie advised Minister Jeanne Simeon that they should expect an urgent Private Notice Question on the matter in the National Assembly. In anticipation of that she consulted the Minister of Education and a meeting was convened. In attendance were Senior Officials of the Ministry of Education and the Ministry of Family Affairs (including its Minister, Mrs. Jeanne Simeon). At that meeting they prepared for the National Assembly session.
59. On 19 May, 2017, Minister Jeanne Simeon, Miss Nella Michel and Miss Angele Jeannevol went to Saviona's house after 4 p.m., after Social Worker, Miss Angele Jeannevol had spoken to Saviona. Saviona was at home with her baby, Isham, in the company of her cousin. They presented their condolences to her and stayed for a while chatting with her. They wanted to find out when she had last seen Dylan. As far as they could recall, the following was what Saviona told them —

*"Dernyen fwa mon ti vwar mon piti ti Dimans,(14th May). I ti vin dan lakour avek en telefon unlimited. Mon ti menm servi sa telefon pou kol Grace (her daughter in fostercare). Dylan osi ti*

*kontan pou koz avek Grace. Apre in vir vire. Sa telefon ti sonnen e mon ti tann Dylan pe dispit, pe dir mon pan vol ou telefon". Ms Jeannevol asked Saviona if she knew who had called Dylan. Saviona said that - "mon kwar i bezwen son met telefon kin fer sonnen son telefon e i konnen lekel ki i pe koz avek. Lanoun dispit nou de Dylan e monn dir li aret donn mwan grenn e bez sorti la ale". Ms Jeannevol asked her why did she ask him to leave and Saviona said "mon ti ankoler". Saviona added that - "Nou abitye lager e Dylan i ale me apre I toultan retournen. Mon toultan kit laport ouver pou li me depi dimans in ale mon pann vwar li ankore e Mardi mon in ale mon pann vwar li ankore e Mardi mon ti al admit lopital avek Isham".*

60. While they were at Saviona's house, it came to light that electricity and water had been disconnected due to non-payment. Mrs. William-Melanie also found out that Saviona has been charged with tampering with the electricity meter box thus the bill amount was quite high. Saviona requested for financial help to pay her bills. She also requested for financial assistance with the cost of funeral. She said that Mr. Jules Hoareau of the Children's Foundation has promised financial assistance with the cost of the coffin and had asked her for a list of what she would need.
61. Mrs. William-Melanie stated that the Agency for Social Protection paid the outstanding utility bills and SPTC paid the cost of 2 buses for the funeral.
62. In May Saviona drew her last financial assistance of Seychelles rupees 2500.00/- from the Agency, which she had been drawing since March.
63. ***The Statement of Mrs. William-Melanie - The Meeting with Dylan's Paternal Relatives***
64. On 19 May, 2017, Minister Jeanne Simeon and Mrs. William-Melanie met the paternal relatives of Dylan who were under the impression that Minister Jeanne Simeon had not given a true account of the work undertaken by Social Services in relation to Dylan, during Private Notice questions in the National Assembly, on 23 May. Those relatives were Jeffrey Sidonie and his wife Nylette Sidonie, Ronny Sidonie and Betty Desire. They were demanding answers and blaming Social Services for failing Dylan. Nylette Sidonie claimed

that she had visited Dylan at the President's Village; and that she often stood up for him when he was being bullied at the Anse Boileau School. She was working as a Security Guard at the school at the time.

65. Betty Desire related that she wanted Dylan to move in with her. Dylan had stayed with her and refused to go back to his mother. She claimed that she informed the Social Worker about it. She wanted Dylan to attend school, but Saviona refused to meet the Head teacher, as requested, to discuss Dylan's re-integration in school. Betty Desire emphasised that Social Workers should have asked Dylan's paternal relatives to take in Dylan. Betty Desire felt that Social Services did not do "*everything*" humanely possible to help Dylan. When the others were asked why they did not insist about taking in Dylan or contact Mrs. William-Melanie had they wanted to help Dylan, they did not give much of an answer. They only said that no one sought their views; and that they did not think of coming forward. They eventually realised that apart from the odd visit to the President Village and knowing that Dylan was going through a tough time and encountering difficulties, they did not make it their concern.
66. They blamed Saviona a lot. Nylette Sidonie revealed that she collected money from her brother, who was serving a prison sentence and sent to Saviona. They alleged that Saviona was on drugs; and that she did not use the money on Dylan, but that she used the money to feed her own habits and addiction. Saviona left the Church Service at Dylan's funeral to meet her partner Yannick, outside the church, where they were observed openly sniffing drugs.
67. Dylan's relatives left the office relieved and satisfied that Minister Jeanne Simeon and she [Mrs. William-Melanie] have met with them. Their pain and remorse were genuine.
68. ***The Statement of Mrs. Linda William Melanie - The Youth Residential Treatment Centre***
69. The Youth Residential Treatment Centre closed down in 2008, after it was relocated to Mahe in 2006. Mrs. William-Melanie stated that upon her appointment as Principal

Secretary of Social Affairs, in October, 2009, she has been advocating strongly for a centre for at risk youths. Her demand received the consideration of the Cabinet of Ministers. A potential site at Cap Ternay is still under consideration. Other sites have been considered as well.

70. Budget funding in the sum of Seychelles Rupees 20 million over a 3 year period (2018-2020) for a centre has been approved now that a site at Cap Ternay has been provisionally approved. It is expected that construction will start in 2018.

71. MISS CHANTAL CADEAU - PRINCIPAL SOCIAL WORKER

72. The statement of Miss Chantal Cadeau is found at Appendix 14.

73. Miss Chantal Cadeau has worked for 26 years with Social Services, 9 years working as a Principal Social Worker in charge of the Community Social Work Section. She supervised Nella Michel, the Senior Social Worker.

74. Since the closure of the Youth Residential Treatment Centre, Social Services have been advocating for a centre for at risk youths. The lack of a centre impedes the delivery of appropriate services to service users, like in the case of Dylan. She has given money, food and other items to Dylan and Saviona. She has even sought accommodation from her relatives and acquaintances for Dylan.

75. ***Government has failed to provide adequate services for those children who need social support. Therefore, the Social Services staff are overwhelmed and under a lot of stress as the demand for children's social support is on the increase.***

76. MISS NELLA MICHEL - SENIOR SOCIAL WORKER

77. The statement of Miss Nella Michel is found at Appendix 15.

78. Miss Nella Michel had worked for 30 years with Social Services, 11 years working as a Senior Social Worker and supervising Social Workers. She supervised Miss Angele Jeannevol, Dylan's Social Worker, based in the English River District.
79. From the time when Dylan's case was referred to Social Services in August, 2013, intervention work, to address the needs of Dylan and his family, was undertaken. Saviona was provided the necessary counselling, guidance and support. Saviona failed to protect her son. She was of the opinion that a placement with a family equipped with good and exemplary parenting skills will have a positive impact on Dylan's upbringing. Unfortunately, all possible placements in informal foster care and homes did not work because of Dylan's challenging behaviour.
80. She stated that the need for "*social care, rehabilitation and control*" has been identified and a request for same was forwarded for consideration on 3 March, 2015. She is of the opinion that Government has failed to provide such services following the closure of the Youth Residential Treatment Centre. She noted that there are 3 girls and 5 boys who are presently in need of help. In light of the present insurmountable challenges, she resigned from Social Services at the end of June, 2017.
81. MISS ANGELE JEANNEVOL - SOCIAL WORKER
82. The statements of Miss Angele Jeannevol are found at Appendix 16.
83. Miss Angele Jeannevol has been working with Social Services as a Community Social Worker in the English River District for over 6 years during, which time she was Dylan's Social Worker.
84. The Police referred Dylan to Social Services, on 26 August, 2013, on the ground of physical abuse at the hands of Saviona. Dylan confirmed that version and stated that he could no longer live with his mother. On the same day Miss Angele Jeannevol contacted Saviona, who said that she could no longer cope with Dylan's defiant behaviour.

85. Miss Angele Jeannevol contacted other family members who could take in Dylan for his safety. Eventually he was placed in informal foster care with his maternal great aunt/Godmother Florence Dodo, on 2 November, 2013. Miss Angele Jeannevol continued to assist Dylan to improve his behaviour. She assisted Saviona on acquiring parenting skills.
86. On 14 March, 2014, his placement with Florence Dodo ended because she could no longer cope with Dylan's behaviour problems. Dylan was then placed back in his mothers' care. She visited Dylan at home and at school to monitor his progress. On occasions, conflict with his mother would settle and they would be on good terms.
87. Dylan continued to have behaviour problems at school where he would be disrespectful to teachers, bully other children and also fight. Dylan had by then started absconding from home. Consequent to that, on 14 March, 2014, Dylan was placed in foster care - Mrs. Maureen Renaud. Miss Angele Jeannevol continued to monitor his progress at home and at school. She also continued to equip Saviona for parenting. At one point Mrs. Renaud informed Miss Angele Jeannevol that Dylan's behaviour was getting out of hand, but nevertheless she continued caring for him.
88. On 14 April, 2014, Mrs. Maureen Renaud could no longer care for Dylan, who was out of control. Dylan was not abiding by house rules and had threatened Mrs. Maureen Renaud with a knife. She feared for her life. Dylan was returned to his mother's care on 14 April, 2014.
89. On 21 April, 2014, Dylan was placed in police custody for his own safety. Miss Angele Jeannevol continued working with Dylan and his mother providing counsel and support to both.
90. On 21 May, 2014, an inter-professional meeting was held at La Rosiere Primary School where Dylan was schooling, to address Dylan's challenging behaviour at school.

91. On 24 July, 2014, Miss Angele Jeannevol enrolled Saviona in an anger management programme at the National Council for Children (NCC), which was holding such workshop. The aim was for Saviona to learn how to manage her anger and address confrontation calmly. Saviona failed to attend the workshop though she gave the impression that she would.
92. In August, 2014, Social Services organised a retreat programme for clients with behaviour problems and Dylan attended. A post mortem of the retreat was held on 17 September, 2014, which Saviona failed to attend, although she was informed.
93. Dylan's behaviour problems, at school, continued to worsen. A meeting was organised by the Head teacher on 1 December, 2014, at the La Rosiere Primary School, the aim of which was for the School and Saviona to find means and ways to work together to best assist Dylan and address his behaviour problems. In attendance was Saviona, the School Counsellor and herself. During the meeting, Miss Angele Jeannevol informed the professional staff that procedures were underway for Dylan to attend behaviour modification programmes at Campaign for Awareness, Resilience and Education (CARE).
94. On 18 December, 2014, Dylan was sent to CARE. He started his sessions with Mr. Robert Ah-Weng. During those sessions, Miss Angele Jeannevol continued her intervention work with Dylan and Saviona. She also kept in contact with Mr. Robert Ah-Weng to monitor Dylan's progress. Mr. Robert Ah-Weng asked Saviona to attend the sessions with Dylan. Saviona and Dylan attended only one or two sessions together. Dylan attended most of the sessions by himself. Unfortunately, there was minimal change in Dylan's behaviour. Dylan continued to display challenging behaviour at school. He was often involved in groups that would get into trouble at school; Dylan would be sent home or suspended from school.
95. Dylan attended the Alternate Education Programme (AEP) for school pupils with behaviour problems. Miss Angele Jeannevol continued to monitor his progress. Dylan would make progress and then his behaviour would revert to the way it was.



96. Dylan and his mother continued to get into conflict. Consequent to that, Saviona would often kick him out of the house and Miss Angele Jeannevol would counsel both of them and asked Saviona to take Dylan back in. At times Dylan would abscond from home and refuse to go back.
97. On 10 June, 2015, for his safety as he was refusing to go back home, Dylan was placed at the President Village. During his stay there Saviona was encouraged to visit Dylan, but she never did. Dylan was enrolled in karate classes in 2015, so as to help him cope with his anger. The karate classes did not help him as his behaviour remained the same.
98. On 10 June, 2015, Saviona was enrolled in parenting and family support sessions that were organised by the Social Services. Saviona did not attend any sessions though she was reminded before each session.
99. On 15 September, 2015, Miss Angele Jeannevol attended an inter-professional meeting at the Anse Boileau Secondary School to discuss Dylan's behaviour which was worsening. The meeting also included the Head teacher, the Deputy Head teacher, Senior Counsellor and the School Liaison Officer from the President Village.
100. Dylan attended the Youth Engagement Programme (YEP) on 31 August, 2015. Miss Angele Jeannevol continued to monitor him, but there was minimal change in his behaviour. She referred Dylan to the National Council for Children (NCC) for psychological assessment and intervention on 20 October, 2015, as he was being very aggressive at school and with staff at the President Village. He stopped attending the sessions at the NCC and those were terminated.
101. During his stay at the President Village, Miss Angele Jeannevol continued to visit him for counselling and support. She was informed by the staff at the President Village that Dylan had on two occasions returned to the Village from school intoxicated from alcohol and drugs. Arrangements were made for him to commence counselling sessions at Mont

Royale, on 11 November, 2015. However, there was no confirmation that Dylan was on heroin. He was tested for marijuana.

102. On 2 April, 2016, Dylan was released into his mother's care as there was no other placement for him. The President Village had informed Social Services that it could no longer care for Dylan because of his severe behaviour problems. Miss Angele Jeannevol continued to visit him at home and at the English River Secondary School. He continued displaying behaviour problems and did not adhere to counselling provided. During his stay at his mother's house, they continued to get into conflict and Dylan would abscond from home. At times he would show up at Miss Angele Jeannevol's office and informed her that he could no longer live with his mother, who would often kicked him out. She would counsel Dylan and Saviona at home and asked that Saviona took Dylan back in. One day Dylan attended her office informing her that he was residing with his paternal uncle, namely Mr. Jude Sidonie. But that arrangement also broke down.
103. In January, 2017, to 24 April, 2017, Dylan was detained in the custody of the Police at the Perseverance Police Station. Though Saviona was encouraged to visit, she did not visit him at all.
104. The Juvenile Court ordered that Dylan and Saviona have weekly family sessions to mend their relationship. Saviona and Dylan did not attend all the sessions. Dylan did not want to work on their relationship problems.
105. On 24 April, 2017, Dylan was released into his mother's care. Saviona agreed to work on their relationship. After a week at home, Saviona informed Miss Angele Jeannevol that she was unable to cope with Dylan's behaviour and had kicked him out. Miss Angele Jeannevol counselled Saviona and convinced her to take Dylan back in as he would be unsafe on the streets. Dylan refused to go back home.

106. The Senior Social Workers Miss Nella Michel and Miss Angele Jeannevol then requested that Dylan be placed in a place of safety as his placement at his mother's house was not working. Unfortunately Dylan passed away on 19 May, 2017.
107. Miss Angele Jeannevol stated that during the time that she had worked with Dylan and Saviona, she did her best to assist them with all the services that they needed. Saviona has shown the willingness to change her attitude and stop using drugs for the betterment of her children.
108. On countless occasions Miss Angele Jeannevol had placed Saviona in employment. Unfortunately, the jobs never lasted long. Miss Angele Jeannevol took food from her home to give to Dylan's family. She would also buy food for Saviona and assist her with bus fares to get to work.
109. Although Dylan had behaviour problems, he was never rude or disrespectful towards her. She would pray that his behaviour would change; and that he would go back to school.
110. The death of Dylan has really affected her.

111. **THE MINISTRY OF EDUCATION**

112. MISS ODILE OCTAVE – DIRECTOR GENERAL FOR SCHOOLS DIVISION

113. The statement of Miss Odile Octave is found at Appendix 17.
114. Miss Odile Octave first met Dylan in the Alternative Education Programme (AEP) in 2015, when she was coordinating the first cohort of students with challenging behaviour, at the Seychelles Defence Academy (SDA). She visited the students weekly during their six weeks stay there, in order to support them and see how the Programme progressed.
115. Dylan joined the AEP, which was designed for students from S2 to S5, a few days late. Dylan was in S1 and an exception was made for him to follow the Programme.

116. Around 20 March, 2015, Miss Odile Octave met Saviona for an intake interview for Dylan to be admitted in the AEP, scheduled for 18 March, to 29 April, 2015. Mrs. Desiree Hermitte, an officer from the Student Welfare Section, joined her at that interview. Saviona came late. She did not bring Dylan, although she was asked to bring him. Saviona explained that she had left Dylan at home to mind his baby sister because there was nobody else to help. Saviona was briefed on the Programme before starting the intake interview. She stated that she understood the aim of the Programme; and indicated that she was looking forward to Dylan being enrolled in such a Programme. She stated that Dylan was stubborn; and that she could not cope. Saviona was requested to send Dylan to the AEP on Monday 23 March, 2015. Dylan did not turn up on that date, but came on Friday 27 March, 2015.
117. The main facilitator of the AEP, Mrs. Patricia Francourt, was reluctant to admit Dylan because he was late for the induction part of it. He was admitted after Miss Odile Octave pleaded for him.
118. Miss Odile Octave observed that Dylan tried to settle in the Programme, but had some difficulties to follow the rules. After completing the Programme Dylan reintegrated in English River Secondary School.
119. On 9 June, 2015, at around 9:30 a.m., when Miss Odile Octave was on her way to English River clinic, she met Dylan with two other boys at the entrance of the clinic's car park. Dylan was wearing torn trousers. She called him and asked him why he was on the street and not in school. Dylan replied that his mother had kicked him out of the house the previous day because he had witnessed her (mother) using drugs. Miss Odile Octave asked Dylan where he was heading and Dylan said that he was looking for drinking water. She gave Dylan Seychelles rupees 5.00/- to pay for his bus fare and sent him to the Ministry to meet with Mrs. Desiree Hermitte. She phoned Mrs. Desiree Hermitte and asked her to attend to Dylan. Thereafter the Student Welfare Section and the then Ministry of Social Affairs assisted Dylan.

120. Later she was informed that Dylan was placed in the President Village and transferred to Anse Boileau Secondary School.
121. MISS PATRICIA FRAN COURT – CONSULTANT AEP
122. The statements of Miss Patricia Francourt are found at Appendix 18.
123. Miss Patricia Francourt attended the hearing voluntarily on 21 June, 2017. She was granted her request to address the Commission.
124. She emphasised that Dylan should have had a psychological assessment much earlier on. When she did the Residential Programme, she would see Dylan everyday. Dylan was sweet, nice, and gentle and perceived things differently.
125. She stated that it is not clear why children are removed from their parents and placed at various "*foyers*" and the President Village. Most of these children are not orphans. The President Village hosts about 45 young people with quite severe difficulties. Other "*foyers*", which are funded by the Government, have enough space. Some of those "*foyers*" can accommodate up to 40 kids, but are now housing only 5 to 8. Therefore, it does not make sense why Dylan did not have anywhere to live.
126. She has been involved in such matters over the past 4 years. She is of the opinion that there is indeed fragmentation of support services available to children. Service providers worked in isolation and would meet at formal meetings. This was a serious concern to her.
127. She strongly suggested that proper standards should be put in place to regulate the operation and management of the various "*foyers*" and the President Village. The level of training of personnel dealing with children is also an issue of concern. An untrained 21 year old cannot be expected to manage 7 children who are at risk, as was the case at the President Village. There is also the issue of vulnerable adults who themselves have children. It is difficult to attend to issues of children who live with such vulnerable adults, unless the issues of the latter are also dealt with. She informed the Commission that she

had completed the audit of various institutions; and that she had submitted a report to the authorities.

128. ***Miss Patricia Francourt – Synopsis of her submissions***

129. The role of Miss Patricia Francourt as Consultant to the Ministry of Education (MOE), was *"to devise a framework to support the Ministry in commissioning, monitoring and quality assuring alternative provision, and provide some model forms and procedures to adapt to fit its own circumstances"*. She developed these from examples, which are currently in use in many education establishments worldwide, but mostly from the United Kingdom where she gained her experiences and expertise. In the context of Seychelles, she developed and implemented three Alternative Provisions as Behaviour Intervention Programmes (BIPs) to help support and manage pupils with challenging and problematic behaviours.

130. Miss Patricia Francourt made considerable input to the Alternative Education Programme (AEP), in close consultation with other related agencies and institutions, in her role as the Consultant on that project.

131. Background information for the 3 Behaviour Intervention Programmes (BIPs) - The focus group "Risk factors" and reasons for referrals can include the following —

- Difficulties with supervision and discipline
- Family members involved in offending
- Hyperactive or aggressive behaviours
- History of anti-social behaviours
- Fixed term exclusions
- Young people with negative mental health (depression, stress, self-harming, suicidal, etc....)
- Involvement in *"risky behaviours"*
- Pattern of unauthorised absences
- Domestic violence within the family

- Regular truanting in the last 12 months
- Parents condoning risky behaviours
- Youth Offending
- Drugs or alcohol use
- Inadequate social skills
- Suffering from abuse (emotional and physical)

132. Some of the aims and objectives of the Programmes are as follows —

- Develop the consequential thinking of young people
- Improve their health and well-being
- Enhance young people's ability to operate in routine and disciplined environments (such as school and home)
- Develop young people's family functioning
- Increase the self-confidence of young people
- Develop the personal, social, inter-personal and life skills
- Increase young people's participation in school in a more positive way
- Engage/re-engage young people in education
- Strengthen and maintain young people's family relationships
- Positively engage young people with their communities

133. The Programmes' components explore the following —

- Intensive physical activity/experiential learning
- Nurturing their needs
- Mentoring participants
- Therapeutic Support
- Instilling Values and Morals
- Skills development

134. Themes of the curriculum for all 3 Programmes include the following —

- Participation and Engagement
- Discipline and Restorative Work
- Communications
- Anger and Conflict Resolution
- Self - Awareness: "Who am I? "
- Rapport and Relationships
- Support and Resourcefulness
- Service and Leadership
- Actions and Consequences
- Appreciation and Accomplishment

135. **A synopsis of the 3 Programmes**

136. **Youth Engagement Programme (YEP)** – A 1 week programme targeting 20 pupils (mixed genders) from a secondary school. The Programme is run in the community centre by the Programme Consultant, and is supported by a senior member of staff from the school, the SENCO (Special Educational Needs Coordinator) and the School Counsellor. The Programme runs from 08.30 to 14.30, and parents are invited to attend.

137. **Alternative Education Programme (AEP)** - A 6 weeks programme targeting 20 pupils (same sex gender) from secondary schools on Mahe. The AEP runs at the SDA at Pointe Larue. The AEP is run by the Programme Consultant, and is supported by the Programme Coordinator, 2 counsellors and visiting guest speakers (NDEA, spiritual speakers, SCOUTS, CARE, Health Visitors, etc.,). The Programme has at least two visits from social workers weekly. Visits are arranged to post-secondary institutions, the wellness centre and the prison (if possible). The Programme runs from Monday to Friday from 07.30 to 15.00. Parents are encouraged to visit regularly. Two dates are formalised for parents' visits with school management and staff.



138. **Youth Integrated Support Programme (YISP)** - A 2 weeks residential programme, which runs in the August holidays at the SDA, targeting 45 pupils (all boys so far) from all 10 secondary schools, supported by at least 30 members of staff from schools, trained by the Programme Consultant (as mentors, counsellors, external speakers etc.,). A detailed timetable is created with daily and evening activities, skills development training and counselling. Parents are invited to visit twice during the residential. The purpose of the camp is to provide an intensive intervention to young people at risk of disengagement with school and home. The purpose of placing the young person onto the YISP is to have the young person return home as a well-rounded member of the family and community.

139. After the Programmes —

- A contract is signed by pupils, parents and the school
- Re-integration process of pupils into schools
- Evaluation meetings with MOE and other stakeholders (feedback on pupils' progress and concerns)
- School priority plans
- Mentors partnership at school level
- Referrals to external agencies (MOE)

140. **Dylan's referrals to the Programmes** —

141. Alternative Education Programme (AEP) Cohort 1 —

142. Dylan joined the AEP which ran from 18 March – 29 April, 2015, at SDA —

- He was in S1 at English River School
- Reasons for referral were as follows: aggressive behaviours towards other pupils, bullying others, swearing at pupils and staff, lacking respect for others and poor social skills
- Prior to joining the Programme, he had not been in school

- Dylan did not attend the first day of the Programme. The following day, Miss Diana Cherry (Counsellor at Anse Boileau School) confirmed that she had met Dylan at the Ministry of Education and was not sure where he was meant to be. He took a lift with Miss Diana to Seychelles Defence Academy.
- He was not in school uniform (he said he did not own uniform). Arrangements were made by the Programme Coordinator for him to have his own set
- Dylan attended 25 out of 30 days on the AEP

143. Youth Integrated Support Programme (YISP) —

144. The second referral was to YISP from 24 August - 1 September, 2015, held at Port Glaud Primary School —

- Dylan was at Anse Boileau School when he attended the YISP, as he resided at the President's Village
- His attendance for YISP was 100% (as it is a residential programme)
- He was allocated to his mentor and shared the room with 2 other mentors and 5 pupils
- There were several incident reports recorded on Dylan's behaviour —
  - ✓ 30/08/15: an argument between him and another pupil
  - ✓ Lateness to class
  - ✓ 01/09/15: he was involved in a fight
- All incidents were addressed and conflict resolution procedures were followed.

145. **Character summary on Dylan** —

146. Dylan was very happy to be on the Programmes, as he felt that he would be cared for in a nurturing environment. He was a very "*needy*" boy who always sought attention. On the AEP, his hygiene was not good. One of the counsellors spoke to him about personal hygiene.

147. In the classroom, he would always sit in the front and participated fully. He was always aware of his weight and how others perceived him. Most of the time he smiled, and beamed when he answered questions right. He loved the rewards of stars next to his name on the star chart. He was rewarded for good behaviour by having lunch with the Lieutenant Commander and his staff.
148. He communicated that he wanted to be out of the President Village, as he felt that others "*bullied*" him because of his weight and his colour.
149. Miss Patricia Francourt observed the following features during the times that Dylan was on both Programmes. Some of these traits are typical of a child who falls on the autism spectrum, however, the diagnosis needed to be carried out by a specialised doctor. Her observations were based on her experiences of working in an Inclusion School in the United Kingdom, where their cohort consisted of pupils with Autism and Asperger's syndromes. Dylan showed the following traits.
150. Social Challenges —
- Difficulty interpreting what others were thinking and feeling
  - Difficulty seeing things from another person's perspective
  - Liked to "*interfere*" inappropriately in conversations (to both pupils and adults)
  - Displayed angry outbursts in volatile situations
  - Tendency to lose control in frustrating situations and inability to manage anger
  - Constantly telling on others (other pupils were wary of him and did not trust him)
  - Felt anxious and overwhelmed when going on trips or being in social situations
151. Communication difficulties —
- Displayed advanced vocabulary and language skills (adult-speak as opposed to child-speak)
  - Perceived his own interpretations and beliefs as the only "*right*" ones

- Had trouble reading non-verbal cues (facial expressions of peers and adults, was not able to tell when someone was only teasing)
- Lack of emotions to match presented behaviours
- Repeated words and phrases, as well as a delay in sometimes processing information
- Always had to have the last word (Dylan got angry if he perceived things as being unfair)
- Facial expressions were not always congruent with topics being discussed (laughing at pain and suffering)
- Hardly spoke about his parents and family members

152. Relationship difficulties —

- Wanted other pupils to play and stick rigidly to rules
- Got upset and angry easily when he perceived unfairness (we had star charts as rewards for good behaviours. He would get angry if he did not receive stars, and would blame others as being "racist")
- Had few friends, tended to stick to adults and asked "inappropriate" personal questions
- Did not like group work discussions and preferred to work alone
- Perceived other pupils as "picking" on him all the time

153. Negative behaviour concerns —

- Unable to match negative behaviours with consequences (one of the sanctions for bad behaviour was community service, which Dylan sometimes refused to partake in)
- Excessive lining up of objects (pencil case, exercise books, etc....)
- Did not like to share his belongings
- On occasions, staff noticed that he spoke to himself
- Avoidance to speak on concerns relating to home

- Came across as very "street wise"

154. Positive behaviours —

- Was always chatty and liked to tell stories
- Accepted support
- Tries new things (was not shy)
- Helpful with chores (setting up for lunch and dinner in residential)
- Supported one of his friend who was very angry and upset
- A perfectionist in his written work
- Liked participating in class
- Creative writer (wrote a poem that he read at the SDA ceremonial event)
- Had plans for his future, wanted his "life to be okay" and had hoped to become a pilot one day
- Showed gratitude when he was given something

155. AEP Mid-Evaluation meeting at SDA (1 April, 2015, SDA Staff and MOE officials)

- Dylan was one of four pupils on par with literacy levels on the Programme (As per the Consultant's Cohort feedback in the evaluation report)
- Dylan entered the AEP late, therefore his integration was poor. Initially, he could not conform to the rules. His uniform was poor and he disturbed the class (As per the Consultant's feedback in the late admissions of pupils' report).

156. **Re-integration school visits after the Programmes —**

157. One or two visits are carried out two weeks after exit from the Programme to evaluate the progress of the pupils. Mrs. Anne Marie Elizabeth, who is the Programme Coordinator, also attended the visits. After their initial visits, the School's Division team would normally follow up with the pupils. The following marks are given to pupils to mark their progress —

- 1- Poor
- 2- Satisfactory
- 3- Good
- 4- Very good
- 5- Excellent

Pupils are marked on the categories of "*current behaviour*", "*current attendance*" and "*current effort*".

158. 2 June, 2015: Re-integration School Visit at English River Secondary (Consultant and Coordinator) - The following feedback was given by the School Counsellor (Brenda Confait) on Dylan—

- Dylan was making limited progress
- He was trying to keep out of fights
- He was scored 2 for his current behaviour, 2 for his current attendance and 2 for his current effort ("*Satisfactory*" on the above scale)
- He was already suspended for 10 days
- We were told that he had been taken from his parent's custody and placed at President Village
- Dylan had been transferred to Anse Boileau Secondary School

159. 15 June, 2015 : Re-integration School visit to Anse Boileau Secondary School (Consultant and Coordinator) - The following feedback was given to us by the Head teacher, Mrs. Mariette Esparon —

- Dylan had been on suspensions due to his inability to behave, as well as continuous truancy
- Meetings had been completed with representatives from the President Village to discuss concerns

- We saw Dylan during lesson change over in the playground. He said he was going to his exams
- We later saw a group of other pupils with Dylan sitting under a tree at the entrance of the school. We were told that *"they had been sent out to do their exams"*
- Management feedback indicated that Dylan *"was not coping"* in school
- His current behaviour was scored a 1, his current attendance was scored a 2 and his current effort was scored a 1
- Feedback suggested that Dylan was still *"at risk"* of permanent exclusion from school

160. Consultant meetings with the MOE

161. After each Behaviour Intervention Programme, (YEP, AEP and YISP) the Consultant requests a meeting with the Schools Division Team to give feedback on the running of the respective Programme, and discussed pupils who have continuous concerns. This did not always happen.

162. 20 July, 2015: AEP Evaluation Meeting at MOE (Schools Division, Director for Schools and Principal Secretary of Education) - The following feedback was verbally given to the team —

- Expressed concerns that Dylan's behaviours are exacerbating (feedback from the school)
- He had difficulties creating relationships with his peers
- Often, his conflict included his perception that other boys were *"touching"* his buttocks. Consequently, he would get into arguments
- He had difficulty understanding boundaries with adults
- Often he would inappropriately touch adults when speaking
- *I expressed that Dylan showed signs of Autism/Asperger's syndrome* (talking like an adult, unable to differentiate right from wrong, perceptions very different from

children of his age, answers in class were mostly off-topic with huge explanations, limited social interactions with his peers, meddling in adults' conversations, etc.,)

- ***Suggested that he should be assessed by a psychologist.***

163. 4 March, 2016: Anse Boileau Secondary School update - To enable her to update data on the pupils' statuses, Patricia requested from the MOE that all schools should send information on their pupils who had attended the Programmes.

164. Update from Dylan's Head teacher —

- 15 September, 2015 - Aggressive behaviour, beats up another student causing injury. Use of vulgar language (5 days suspension)
- 27 October, 2015 - External truancy (3 days suspension)
- 4 November, 2015 - Arrogant towards staff, vandalism, truancy, disturbance, external truancy, refuses to perform classroom cleaning duties (3 days suspension)
- 13 November, 2015 - Severe misbehaviour, could not contain, disregard authority, aggressive, lack of respect (Dylan to stay at home until exams)
- 25 February, 2016 - Sexual acts (10 days suspension)
- Continuous behaviours (Gambling, involved in selling mobile phones, external truancy, involvement in smoking of cigarettes)

165. Consultant's guidance to the Ministry of Education —

166. The following two sections are abstracts from a guidance document that Miss Patricia Francourt submitted to the Ministry of Education in April, 2016, in order to maintain close follow up on pupils who had attended any of the BIPs.

167. Planning for re-integration into schools - *"Re-integration is one of the vital tests of successful Behaviour Intervention Programmes. In the event that some pupils are not able to re-integrate back into mainstream classes, the Ministry needs a bank of external agencies in place or an alternative education establishment. There is a focus on working*



*with families and including parents in frequent communications, workshops and feedback."*

168. Resources implications - *"The Ministry is keen that the three Behaviour Intervention Programmes are recognised for the excellent practice that is currently in place. Clearly it is important to choose the most appropriate programme for each young person with a view that the preventative work that is being done will decrease or eliminate a lot of disaffection in young people. Outreach support and community partnerships can only help to consolidate on the work that has started with a view of promoting preventative measures. With the increasing referrals to the three programmes, the Ministry and its workforce is stretched to its limits. For sustainability of the programmes, the Consultant proposed that a strategy team is established to ensure consistency and continuity."*
169. Cabinet of Ministers' Presentation - Miss Patricia Francourt was asked in April, 2016, by the ex-Minister for Education (Minister Mondon) to write a Cabinet memorandum on the Behaviour Intervention Programmes. The Ministry had recognised that there was a much wider recognition that schools and other agencies needed to take a more holistic approach to meeting the varying needs of pupils, depending on their individual circumstances. Special Educational Needs (SEN) was now set in a much wider context and encompassed a greater range of barriers to learning. Even in today's society - which is governed by the idea that every child is entitled to an education, there are some children who cannot be educated within the confines of a conventional school environment, due to the difficulties encountered in their lives.
170. The purpose of the memorandum was to raise Cabinet's awareness on the provisions in place to support pupils with difficult and problematic behaviours. In order for these intervention Programmes to be sustainable, there are financial, staffing and resource implications and constraints that limit the effectiveness of the Programmes.
171. The Ministry of Education was seeking the support of Cabinet to formalise a more holistic approach from other Ministries, who should be involved in meeting the needs of these

young people and to seek Cabinet support for additional funding, human resources and identification of permanent premises to be used as centres.

172. Miss Patricia Francourt in her capacity as the Consultant shared her recommendations to the Cabinet of Ministers in a presentation at State House. She also presented the framework for human and financial resources requirements for the project.

173. Consultant's Recommendations at Ministry of Education level (Included in Cabinet of Ministers' presentation) —

- Formalise partnerships with different ministries and external agencies
- Staffing allocated to meet sufficient staff to pupil ratios for BIPs
- Policy and Framework for off-site Education
- More psychologists and intervention
- Compilation of data to monitor trends, difficulties and progress
- Putting ownership and responsibility on schools to adhere to re-integration programmes
- Comprehensive follow up programmes and continuity after BIPs.

174. **Justification to Cabinet why a youth centre was needed urgently** (feedback was based on 285 pupils who had been on the Programmes) —

175.

Reasons based on BIP	Data
Concerns ongoing after 3 BIP (Behaviours)	<i>School feedback</i> 16%
Young offenders and juveniles	<i>1<sup>st</sup> YISP 10 boys with court order at SPA</i>
	<i>2<sup>nd</sup> YISP 10 boys with court order</i>
Drugs and alcohol dependents	<i>58 known</i> 24 %
Fixed term/permanent/drop outs (based on 5 schools only)	<i>80 known through BIP</i> 33 %
Negative mental health	<i>Not assessed</i> 60 %
Lack of parental control	<i>Home situation</i> 90 %
Restorative justice	<i>Schools reports (not court orders)</i> 33 %

Going culture	School reports (not police reports)	35%
"At risk (based on all schools)	Known to Social Services	46%

176. *Miss Patricia Francourt strongly believes that at the time there were at least 50 young people who have been on the 3 BIPs whose social, emotional and academic needs are huge and complex. In her opinion, Dylan would have been one of these young boys who would have greatly benefitted from a place of nurturing and safety, should the residential programme have been established. Based on the criteria for Dylan's eligibility, he would have met all the requirements below.*
177. Eligibility for admission to the youth residential programme - Entry requirements can include the following —
- Persistent fixed term suspensions
  - Permanent suspensions
  - Medical grounds (negative mental health)
  - Failure to make progress after 3 BIPs
  - Young offenders and juveniles
  - Drug and alcohol-dependent
  - Young people who are de-schooled
  - Young people whose behaviour indicates a lack of parental control
  - Young people who will benefit from restorative justice.
178. Up to date, Miss Patricia Francourt continues to provide the services of the three BIPs to the Ministry of Education. Two AEPs and one YISP are run during the year. The Ministry had proposed that she implements a training programme for schools to equip them with the skills to run the YEP. The date was set, but the Ministry of Education had postponed the training. This is a valuable programme that aims to identify our young people very early when they are presenting difficulties. The earlier that schools identify pupils' needs, the more effective support can be.

179. In April 2017, after closure of Cohort 5 of the AEP, Miss Patricia Francourt wrote to PS Decomarmond of the Ministry of Education requesting a meeting to discuss the ongoing concerns that our young people face, with the view to share some good practices and recommendations. The request for the meeting was going to be jointly with Bishop French Changhim, who attends and takes sessions on the BIPs. Bishop Changhim has met Dylan on the Programmes and his concerns have always been around *"follow up and continuity"* for the young people.
180. Just after Dylan's passing in May, 2017, Miss Patricia Francourt wrote another email to the Principal Secretary Decomarmond to reiterate that a meeting was crucial to discuss the same concerns. Up until June, 2017, Miss Patricia Francourt and Bishop Changhim have not been granted a meeting and there has been no response from her office.
181. In view of her role as a Consultant to the Ministry, Miss Patricia Francourt feels that serious concerns are being —

*"ignored in regards to the vulnerability of young people like Dylan. She believes that there are similar cases to Dylan that currently exist in the country, and that all Ministries and Agencies will have to work more cohesively and effectively to meet the needs of the families and that of the young people who are termed as seriously "at risk".*

182. In her role as a Psychotherapist and Behaviour Management Specialist in Education in the United Kingdom, Miss Patricia Francourt has been a panellist for a "Serious Case Review" after a child's death and a case of homicide.
183. The Commission is of the opinion that her competence in this field is invaluable.
184. BERYL BOTSOIE – THE HEAD TEACHER OF LA ROSIERE SCHOOL
185. The following is a statement from Miss Beryl Botsoie who was the Head teacher of La Rosiere School at the material time (Appendix 19).

*"Sete dan P4 2012 ki mon ti vin pli pre avek Dylan. Ansennyan ti anvoy li kot mwan a plizyer repriz akòz i pa ti pe konport li byen dan laklas. I ti sifok ansennyan, reponn e osi ensilte lezot zanfan dan laklas ensi ki deor.*

*Pa ti fasil pour ganny son manman pou vin lekol. Social worker Miss Angele Jeannevol ti pe travay avek li e set atraver Miss Angele Jeannevol ki nou ti kapab ganny son manman. I pa en madanm fasil, a plizyer repriz nou pann kapab rezonn avek li. Dylan ti lo "dedicated fund" e lekol ti asiste li dan nenport fason. Dan P5-P6 son konportman ti vin pli ensiportab. I aras zanfan manze, tap zot e napa latansyon dan laklas. I pa ti ekout ansennyan e fer disturbance dan laklas. Plizyer fwa i ti ganny anvoye kot mwan.*

*Mon ti donn li "time out" dan lofis. Atraver konversasyon mon ti dekouver ki Dylan i annan bann bon rezonnman. I ti koz parey en adilt, son bann rezonnman ti fer bokou sans me zis apre i retourn ankor dan move konportman. Dylan ti rakont mwan ki i kwi son manze li menm, i lav son prop lenz. I ti dir ki plizyer dimoun i vin kot li. I ti menm rakont mwan ki son manman i fer li kasyet drog. Enn de fwa Dylan in raport mwan ki in dormi dan kaso "Perseverance". Son manman in fer gard vin sers li. A tou moman mon ti fer refer lenformasyon avek social worker. Dylan ti dir mwan ki enn ler I dormi deor. I annan vwazen kin vin lekol pou raporte ki Dylan in vol telefonn kot li. Monn menm pran kontak avek son granmer Louisa konsernan Dylan. I ti fer mwan konpran ki son fiy pa byen ek li e i pa kapab enterfer. Dylan i reste kot 2 lezot dimoun. Enn son tantin. Son tantin ti korpere byen avek lekol ler nou ti apel li. I ti vreman siport Dylan.*

*Preski lafen P6 toulezour ti annan rapor lo Dylan. I ti pe vin agresiv. En zour dan pe "counsel" li mon ti dir li ki mon mazin en keksoz trakasan lo li. I ti dir mwan dir li kwa. E la mon ti dir li ki mon enkyet e pe mazine si i pa lo drog. Fransman e kalman Dylan ti dir mwan wi. I servi tyalas, Billy. San konnen kwa. Sa mon ti demann li lesplikasyon e i ti klerman eksplik mwan ki si sa. Atraver kestyon mon ti aprann ki i konmans sa depi dan P4 ler zot ti reste swa La Louise ou Manmel. (Mon pa tro rappel). I ti rakont mwan kot i ti travers pti semen pou tonm dan landrwa kot i ti al rod sa drog. I ti dir mwan ki i fimen dan bomaten avan vin lekol e enn aswar. I menm dir mwan ki en garson La Gogue ki donn Li. Mon ti enform minister ledikasyon lola me nou pa ti kapab swiv sa case akòz Dylan ti komans pa vin lekol. Akòz konportman son manman letan i vin lekol mon pa ti kapab enform son manman lola. Preski lafen P6 Dylan pa ti regilye dan lekol.*

*Vandredi dernyen zour vakans avan al dan S1 Dylan i vin kot mwan e dir ki i oule al lekòl me i napa liniform. Mon ti al laboutik e fer laranzman liniform ki i ti al pran son sanmdi. Noun toultan koz byen nou de Dylan, i pann zanmen fer malelve avek mwan. In touzour ekout bann konsey ki monn donn li me malerezman i pann met an pratik. Mon kapab dir ki tou dimoun dan lekòl in siport Dylan en kantite me malerezman nou pan konn son vre problem."*

186. MISS MARIE-CLAUDE MOREL-THE HEAD TEACHER OF ENGLISH RIVER SCHOOL

187. Miss Marie-Claude Morel submitted the following statement (Appendix 20) in relation to students with long absences and drop out cases. She emphasised that the efforts of the school to assist them were to no avail. Those whose names are stated below were newly transferred to the English River Secondary School —

188. Anny Lawen S2(2), came on 1 March, 2016, from Beau Vallon Secondary School and was receiving counselling sessions for some personal issues

189. **Dylan Rose S2(4) came on 4 July, 2016, from Anse Boileau Secondary School and was a past resident of the President Village due to some home issues**

190. Marti Radegonde S5 came in 2015 from La Digue and has been constantly moving to and from these two schools

191. Samira Azemia S5 from Beau Vallon Secondary School was being treated at the Wellness Centre for several weeks in February.

192. As for the following students, they have benefitted from the Programme offered by the Schools Division namely —

- **Dylan Rose S2(4) was on Alternative Education Programme in April 2016**

- Noah Baron S2(2) was on Alternative Education Programme in September 2015 and repeated the Alternative Education Programme in April 2016
  - Kurtis Vital S3(5) was on Alternative Education Programme in April 2016.
193. And lastly, the following three students are those whose parents have no control over them. They have decided to stay home or joined the world of work despite efforts made by the respective district social workers, the School Attendant Officer and advice given by the school counsellor to assist them.
- Danio Mathiot S3(5)
  - Kris Kadasamy - TVET S4
  - Mashita Labonte S4.
194. Miss Marie-Claude Morel submitted a further statement as to her personal knowledge Dylan in her capacity as the Head teacher of the English River School from 2010, to date. She knew Dylan only for a few days at the school.
195. On Monday 19 January, 2015, as usual only the S1 students start Day One in Secondary School. Later that day she was informed by a teacher that Dylan was involved in a furious fight with Carlos Choppy, another student from S1. Both were taken to the School Counsellor's Office. According to Mr. Dave Boniface, one of the teachers who handled Dylan, Dylan was tough, furious and aggressive.
196. Miss Marie-Claude Morel went to see the two boys at the Counsellor's Office and spoke to them. She called and informed the mother of Dylan about the incident and asked her to come and collect him because he was very aggressive. His mother asked her to keep Dylan at school because she could not control Dylan. She came to get Dylan at the school's persistence. Dylan was issued an Event Sheet. Miss Marie-Claude Morel informed Odile of the incident. Odile advised her to ask Saviona to collect Dylan and keep him at home. Odile told her that Dylan should not be in school as she still had issues to sort out with Dylan's mother. Since then, the name of Dylan remained on the school register.

197. Dylan joined the AEP for 5 weeks in March, 2015. Miss Marie-Claude Morel had the opportunity to visit him on the Programme. During their conversation, she noticed that his reasoning was good; and that he had good relationships with peers.
198. After the Programme, on Wednesday 20 May, 2015, she met with Dylan and his mother in her office as part of the re-integration programme. Since then, Dylan's attendance was on and off.
199. On Wednesday 3 June, 2015, the school was informed by the Schools Division that Dylan had been placed in the President Village; and that she was asked to proceed with his transfer to Anse Boileau Secondary School as of 8 June, 2015.
200. On Monday 4 July, 2016, Dylan was transferred back to English River Secondary School and Miss Marie-Claude Morel met with him accompanied by his mother Saviona in her office at 8:30 a.m.. On that day Saviona applied for assistance from the Dedicated Fund. Miss Marie-Claude Morel advised Dylan to take his studies more seriously and improve on attendance since he had spent 5 weeks on the AEP.
201. On Monday 11 July, 2016, at 9:00 a.m., whilst touring behind S1/S2 Block accompanied by the Office Manager, they saw Dylan smoking behind the Construction Laboratory. Miss Marie-Claude Morel asked a teacher nearby to bring Dylan to her office. Unfortunately, during conferencing, Dylan denied that he was smoking on the school premises. Therefore, she immediately called Saviona to inform her of the incident and asked her to report to school at once. Because of the possibility of Dylan being suspended from school, under the Code, conferencing was done in the presence of Saviona, Miss Irenie Fock Tave and Mr. Philip Wong. Miss Irenie Fock Tave and Mr. Philip Wong are members of Caritas who were helping Dylan socially and financially. Dylan refused to admit the offence. Miss Irenie Fock Tave took Dylan to Father Alcindor for him to think about his act. Dylan never came back to school despite all efforts made by the school and the Attendant Officer. Miss



Marie-Claude Morel formally informed the Schools Division of Dylan's absence and kept updating his record every end of term.

202. Miss Marie-Claude Morel met Mrs. Irenie Fock Tave and asked about Dylan's whereabouts. Mrs. Irenie Fock Tave told her that since Dylan had no fixed address, it was difficult for him to return to school.
203. MRS. MERNA NAIKEN – THE DEPUTY HEAD TEACHER OF ANSE BOILEAU SCHOOL
204. The statement of Mrs. Merna Naiken is found at Appendix 21.
205. As Deputy Headteacher of Anse Boileau Secondary School, Mrs. Merna Naiken knew Dylan as a student. At that time Dylan was living at the President Village. She knew him as a jovial person. He was an average student. He did not like to stay in class for long periods. He participated for only one period, then he would ask the teacher for permission to go out. If permission was refused, he would leave the classroom anyway, and would roam outside with his friends.
206. Mrs. Merna Naiken noticed that Dylan was quick tempered. Dylan would use foul language and would fight those who offended him. Dylan would then offer an apology for fighting. The School Counsellor and Mrs. Merna Naiken always advised him to control his temper (i.e. anger management).
207. During break or lunch time they gave him something to eat and drink, and he made them laugh.
208. Mrs. Merna Naiken recalled that Dylan wanted to go back to live with his family. He stated to her that the President Village kept him away from his family, especially his mother.

209. Dylan went back to live with his family last year (2016). He was transferred to English River School. Mrs. Merna Naiken was really pleased when she learnt that he was back with his mother.
210. His untimely death has shocked her.
211. MRS. DESIREE HERMITTE - PRINCIPAL COUNSELLOR
212. The statement of Mrs. Desiree Hermitte is found at Appendix 22.
213. Mrs. Desiree Hermitte works in the Student Welfare Section of the Ministry of Education, Mont Fleuri. She first met Dylan in the AEP in 2015, when she was helping with the first cohort of students with challenging behaviour. The Programme was hosted by the Seychelles Defence Academy (SDA), Pointe Larue. She travelled to SDA at least twice a week for half a day to help with logistic and support students on the Programme.
214. Dylan joined the AEP in 2015, a few days late. The Programme was designed for students from S2 to S5. At the time Dylan was in S1 and an exception was made for him and another student to follow the Programme.
215. It was around 19 March, 2015, that Odile requested that Mrs. Desiree Hermitte joined her in a meeting later that week with Saviona to assist in an intake interview for Dylan to be admitted in the AEP that was scheduled to take place during Term 1 from 18 March, to 29 April, 2015.
216. It was late afternoon around 4.50 p.m., the following day that Odile and Mrs. Desiree Hermitte met with Saviona. Although Saviona was specifically asked to bring Dylan along to the meeting, she attended the meeting without him. It was explained to her that Dylan also needed to be at the meeting. Saviona stated that she had left Dylan at home to mind his baby sister as there was nobody else to help. Saviona was briefed on the Programme before starting the intake interview.

217. After reviewing the Programme contents and indicating that she understood the aim of the Programme, Saviona said that she wanted Dylan to be enrolled in such a Programme. Saviona also said that she applied corporal punishment; and that it was not effective. Dylan continued to do whatever he pleased. Saviona was requested to send Dylan to the Programme on Monday 23 March, 2015.
218. Dylan did not attend on Monday 23 March, 2017. He came later that week. In view of Dylan's late arrival there was reluctance, on the part of the main facilitator, Miss Patricia Francourt, to admit him. However, Odile pleaded for Dylan's admission.
219. Despite his well-built physical stature, Dylan was one of the youngest participants. He tried to adapt and settle in, however he had some difficulties in following rules and regulations. He required constant encouragement and support to help him maintain engagement and participation. Almost every day after lunch, Dylan would ask for food for his mother and sister. Mr. Gemmy Anacoura, the Commanding Officer in SDA, authorised Dylan to take extra take-away lunch packs home. After completing the Programme Dylan was reintegrated in English River Secondary School with a follow-up programme.
220. Around 9.30 a.m. on 9 June, 2015, Odile called to say that she had met Dylan on her way to the Clinic; and that he was wearing torn clothes. Odile said Dylan informed her that his mother had kicked him out of the house the previous day after he had witnessed his mother using drugs. Odile also said that Dylan told her that he wanted some drinking water. Odile told Mrs. Desiree Hermitte that she had given Dylan money to pay for his bus fare to come and see her at the Student Welfare Section; and that she had asked her to assist Dylan. Dylan arrived at the Student Welfare Section at approximately 10 a.m. that day.
221. Mrs. Desiree Hermitte offered him some sandwiches, tea and cold water. After he had eaten, Mrs. Desiree Hermitte requested for a colleague, Mrs. Catriona Monthy, the School Psychologist, to take notes as she engaged Dylan in telling her what had happened. Dylan repeated what he had earlier told Odile. Mrs. Desiree Hermitte asked Dylan where he planned to sleep that night and he replied that he had nowhere to go. Subsequently, Mrs.

Desiree Hermitte called the then Ministry of Social Services to report the matter. Because Dylan did not want to go home and had nowhere else to stay, Mrs. Desiree Hermitte requested for his placement at the President Village. She was informed by Social Services that there was no space in the President Village to accommodate any new client, but that they would try their very best to find placement for Dylan. They were successful as eventually Dylan was placed in the President Village and a school transfer was made for him to attend Anse Boileau Secondary School. Dylan continued to receive support from the staff of the President Village and the then Anse Boileau School Counsellor, Mrs. Diana Gerry.

222. In mid-April, 2017, a request for school re-instatement, in English Secondary School for Dylan, reached the Student Welfare Section. Saviona requested for Dylan to be accepted back in school. Upon inquiring of the request from English River Secondary School, Mrs. Desiree Hermitte was informed that Dylan had not been in school since the beginning of Term 1; and that he was in Police custody.
223. On 19 April, 2017, Desiree invited the Ministry of Family Affairs and the Police to a case conference on 21 April, 2017, to discuss the schooling and wellbeing of Dylan. Their concerns were —
- who would be responsible for Dylan when he attended school while in custody- his daily care and needs, to whom will the school management speak concerning him
  - safety while not in Police custody; how would he come to school and go back after school; will there be limitations on his movement
  - who would be allowed to visit him in school
  - how long would he be in Police custody.
224. Miss. Sylvette Gertrude, Director for Social Services suggested that the conference be re-scheduled for 25 April, 2017, as the concerned Social Worker had to attend lecture at UniSey on Friday 21 April, 2017, for the whole day. Miss Sylvette Gertrude also informed Mrs. Desiree Hermitte that Dylan would be released from Police custody to his mother's

care on 24 April, 2017.

225. On 20 April, 2017, a group of parents and their children including Saviona and Dylan were invited to attend a meeting at English River Secondary School on 24 April, 2017. The meeting was about the re-instatement of those students who were not attending school for their possible re-instatement in school.
226. On 21 April, 2017, Mrs. Desiree Hermitte and ASP Hendrick Leon spoke about Dylan's situation. ASP Leon revealed that Dylan had 3 alleged criminal cases under investigation. She informed ASP Leon that in view of the fact that Dylan was returning in the care of his mother, on 24 April, 2017, their concerns regarding his schooling might be resolved.
227. On a day between 4 May, and 9 May, 2017, Mrs. Desiree Hermitte called the school to find out if Saviona had reported with Dylan to attend to his re-instatement in school. She was told that Saviona had not contacted the school, but that the school and the Social Worker, Miss Angele Jeannevol, were working together for Dylan to return to school.
228. MRS. CATRIONA MONTHY-SCHOOL PSYCHOLOGIST
229. The statement of Mrs. Catriona Monthy is found at Appendix 23.
230. Mrs. Catriona Monthy first met Dylan in March, 2015, when he was admitted to the AEP, a 6 weeks programme for secondary school students with challenging behaviour, at the Seychelles Defence Academy. As School Psychologist, she worked on site with the AEP one day per week during, which she observed and interacted with the students in the various activities and discussed the progress of the students and running of the Programme with other personnel.
231. Mrs. Catriona Monthy recalled that Dylan actively participated in the various sessions. He tended to blurt out answers before being called upon and at times would get quite annoyed when other students were called upon instead of him. The other students would sometimes

get annoyed at him for giving long answers to questions. It was explained to him by various staff members, including Mrs. Catriona Monthy that he had to wait his turn and give everyone a chance to participate. He showed some improvement in this regard over the course of the Programme and was able to reflect on his behaviour. At the close of the Programme, Dylan read out a letter that he had written as follows —

*"I am glad God touched my heart and forgive me the chance to came across this programme and to make me realize that I need to change for my own benefit and to be somebody. Friends and teachers, I am Dylan Rose standing in front of you. I am asking you to forgive me for all the wrongdoing things that I have done. Frankly I want to bring peace into my heart so I can be a better person. Thank you Dylan Rose".*

232. Dylan was praised for his reflection and was asked to read out his letter at the SNYC launching of the value of the month, "*discipline*", for the month of May, 2015, which was held at the SPDF site on Perseverance. A few students and Ministry of Education personnel attended the ceremony. Mrs. Catriona Monthy was able to film Dylan's speech. A USB containing the video is part of Appendix 23.
233. During the AEP, Mrs. Catriona Monthy observed that Dylan ate as much food as he could get and would ask to take leftover take-away home for him and his family.
234. Mrs. Catriona Monthy met with colleagues from Schools Division on 18 May, 2015, to discuss the review and way forward for each of the students on the AEP cohort. It was noted that Miss Patricia Francourt, AEP Consultant, had observed a few behaviours associated with autism in Dylan; and that she had recommended that further assessment be carried out. ***Mrs. Catriona Monthy agreed to consider further assessment of Dylan and added his name to the School Psychology Service Intake File (waiting list) that same day.*** It was also agreed that Dylan should be re-integrated at English River Secondary School at the start of Term 2, 2015.
235. On 9 June, 2015, they organised a follow up session with all the students who had

participated in the AEP to check in on their progress so far. Dylan did not attend this session. Later that same day, Dylan came to the Student Welfare Section office and met with the Principal Counsellor, Mrs. Desiree Hermitte and herself. Dylan said that Odile, Director General for Schools, had told him to come and see them; and that he had been in jail (*kas*) since the previous Wednesday (3 June) until the day before as he had nowhere to sleep. He had gone home the previous Wednesday and found his mother using "*lapoud*" (heroin). He told his mother that he was sorry for being late; and that she had told him to go. Dylan said that he then went to town; and that the Police later picked him up and took him home. His mother then beat him after which he went to the Police and showed them the marks and they let him stay at the Police Station. It was the first time that he had actually seen his mother using heroin. He said that his step-father, Yannick also used heroine. He informed the Police about that fact.

236. At that point, Mrs. Catriona Monthy spoke to Odile on the phone. Odile said that she had met Dylan in town and had spoken to him. Dylan had told her that he had met two people in an activity in town; and that they had given him alcohol and two rolls of "*staf*" (marijuana). Dylan had been picked up drunk by the Police. When asked about the incident, Dylan denied the part about having drugs to sell. Mrs. Desiree Hermitte contacted the Central Police Station and they confirmed that they had picked up Dylan drunk. They also said that it was not the first time he had been observed drunk.
237. Dylan was then asked to give an account of his activities over the previous week. He said that he had gone to school the previous Monday (1 June); that he had gone to town after school; and that someone called Ron had bought alcohol, but that he did not drink it. He admitted that he was in a group that was playing with the lift at Orion Mall on the Wednesday (3 June). He had been released from "*kas*" yesterday (8 June); and that he had slept on some cardboard boxes at the bus terminal the previous night. He was on his way to see Miss Angele Jeannevol at Social Services (9 June) when he met Odile who told him to come to the Ministry of Education.
238. Following the meeting with Dylan, Mrs. Desiree Hermitte contacted Social Services. Mrs.

Catriona Monthy later learned that efforts had been made to find somewhere for Dylan to stay; and that he had been admitted at the President Village. He was subsequently transferred to Anse Boileau Secondary School.

239. Dylan was admitted to the Youth Integrated Support Programme (YISP), which was held at Port Glaud School from 24 August, to 1 September, 2015. Catriona attended the Programme on some days, but she did not have in-depth discussions with Dylan. She understood that Dylan had been getting into conflicts with peers and adults at school and at the President Village.
240. On 15 September, 2015, Mrs. Catriona Monthy spoke to Social Worker, Miss Angele Jeannevol, on the phone and the latter told her that she had done some anger management work with Dylan, but that it did not seem to be working; and that he could be very aggressive. Miss Angele Jeannevol was considering referring him to the NCC for more therapy.
241. *With regard to further assessment of Dylan, Mrs. Catriona Monthy submitted his name for inclusion on the list of children to be evaluated for Autism Spectrum Disorder (ASD) to Miss Irene Jumeau at the Early Childhood Intervention Centre.*
242. However, Mrs. Catriona Monthy asked Miss Irene Jumeau not to proceed with scheduling the assessment for the following reasons. ASD is diagnosed based on the individual's behaviour, which is observed directly as well as gleaned through information on the child's early development and current functioning provided primarily by the child's caregiver. In order for a diagnosis of ASD to be made, a number of criteria have to be met and other factors that could account for the observed behaviours must also be considered.
243. As is the case with all referrals, Mrs. Catriona Monthy considered whether this particular assessment was a priority as they could not follow through with intensive assessments for all students referred given their current human resources. She also considered what potential benefits there could be for Dylan in proceeding with the assessment.



244. In Dylan's case, the indications of ASD were not as pronounced as for most of the other children referred for ASD assessment and while some signs of ASD were present, there were other aspects of his behaviour that were not consistent with ASD. Also, the difficulties Dylan was having with social interaction and emotional regulation could be attributed to his dysfunctional family background. Moreover, a diagnosis of ASD would not have brought any additional services to Dylan. Dylan had already received some social skills and reflective thinking training, which would have been recommended for an adolescent with mild autism. Further behaviour intervention, relating to ASD or not, would have required a stable consistent home environment.
245. MISS MARIE ANTOINE BETHREW - STUDENT WELFARE OFFICER
246. The statement of Miss Marie Antoine Bethew is found at Appendix 24.
247. Miss Marie Antoine Bethew started working for the Ministry of Education in the Student Welfare Section, on 13 March, 2015, as a "*provisional*" Psychologist. She was still in her orientation phase when the AEP started. During the said Programme, held at SDA, Pointe Larue, from 18 March, to 29 April, 2015, she met students from different secondary schools on Mahe.
248. She observed and offer guidance to the students and helped the facilitators on days she attended the said Programme.
249. Miss Marie Antoine Bethew stated that Dylan started the AEP one week after it had started. She did not talk to Dylan. However, during plenary sessions, she observed that Dylan was generally talkative, opinionated, helpful, very open to all the Programme staff and students and participated actively in the class room.
250. She noticed that Dylan also liked to help the Programme Coordinators. Dylan would wash the pots or carry them to the bus. Dylan would ask for food to take home for his family.

251. When the Programme was completed, they had a review on 18 May, 2015, whereby every student in that cohort was discussed. It was mentioned that Dylan should be examined by appropriate medical expertise for autism. The school Psychologist (Mrs. Catriona Monthy) agreed to put him on the waiting list for further assessments.
252. The School Division organised several follow-up meetings for the students as part of the re-integration programme, to better measure their school progress. Dylan assisted two, on 2 July, 2015, with Miss. Daphne his case worker, as he was at that time living at the President Village, and then on 10 August, 2015, accompanied by his school Counsellor Miss. Diana. On both occasions, they reviewed Dylan's progress at home and at school. He mentioned that he was involved in fights at school, aggressive towards others, bullied others and consequent to that, he was suspended. At the President Village it was mentioned that he left the premises without any permission and tampered with the electricity. At that point, he was being considered for the Residential Programme, for further interventions.
253. From 24 August, to 1 September, 2015, Dylan followed the Residential Programme, held at Port Glaud School as he was still living at the President Village. They exchanged greetings, had short conversations about how he found the Programme and how he was doing. He talked about how he has visited many places with the President Village and that now being on the Programme, he was missing out on some cool visits (Deepam Cinema). After the Residential Programme, she did not deal with Dylan.
254. MISS BRENDA CONFAIT – COUNSELLOR OF ENGLISH RIVER SECONDARY SCHOOL
255. The statement of Miss Brenda Confait is found at Appendix 25.
256. On Monday 19 January, 2015, (first day of the school term) just after lunch break, Miss Brenda Confait heard a commotion on the school premises near the staffroom. She went to have a look and found that there had been a fight between Dylan and Carlos Choppy, both had just joined S I.

257. Carlos showed Miss Brenda Confait a huge bite mark, which he said was done by Dylan. Dylan was taken to the staffroom. Some male teachers were trying to calm him down. In fact it took a few male teachers to restrain him.
258. Once Dylan was calm, Miss Brenda Confait managed to escort him to her office to talk about what had happened. He agreed and after a short conversation he agreed to write a statement.
259. Dylan was sent home with an information note after the fight. He did not return to school until they were informed by Schools Division that he will be enrolled on the next AEP for March-April, 2015.
260. In March, 2015, Dylan joined the AEP, which he followed for 5 weeks, after which he briefly returned to English River School. Thereafter Dylan was transferred to Anse Boileau Secondary School (May, 2015) as he was being placed at the President Village in Port Glaud.
261. On Friday 3 June, 2016, Miss Sylvette Sidonie, Dylan's auntie, came to the school with Dylan. She informed them that Dylan had been removed from the President Village. He was supposedly back in his mother's care. Miss Sylvette Sidonie stated that the mother and son were not getting along; and that Saviona had refused to accompany Dylan to school. Dylan was currently living with his uncle (Jude Sidonie) and his paternal auntie. Miss Brenda Confait explained to Miss Sylvette Sidonie that Saviona had to inform the school of the change in guardianship or otherwise.
262. Miss Brenda Confait worked closely with the Attendance Officer and Dylan's Social Worker Miss Angele Jeannevol from English River District, and on 9 June, 2016, Miss Angele Jeannevol informed her that she was going to fetch Saviona and Dylan in Social Services transport and bring them to school for Dylan's school transfer process. Despite all the effort of Social Services both never turned up on that day.

263. On 4 July, 2016, the transfer process was completed and Dylan was placed in S2 (4). Dylan's attendance at English River Secondary School was very short. He was present for only three days in Term 2, 2016.
264. MISS LOUISIANNE LAVAL – COUNSELLOR OF LA ROSIERE PRIMARY SCHOOL
265. The statement of Miss Louisianne Laval is found at Appendix 26.
266. Miss Louisianne Laval knew Dylan when she started working with him in February, 2014, when he was in P6. The Headteacher, Mrs. Beryl Botsoie referred him for counselling services. He had trouble interacting with certain pupils. In addition, Miss Louisianne Laval was informed by Dylan's Social Worker, Miss Angele Jeannevol, that Dylan had been placed in foster care. Dylan said that he was not happy where he had been placed with one of his aunts. He asked Miss Louisianne Laval to contact his Social Worker. Miss Louisianne Laval then liaised with Miss Angele Jeannevol to find out how he was coping at home.
267. Dylan was placed in the care of Mrs. Maureen Renaud at St.Louis. It did not work out there as well. Mrs. Maureen Renaud returned him in the care of Social Services until he went back to live with his mother.
268. During their counselling sessions Dylan showed politeness and calmness. However, with certain peers he displayed irritability and got upset easily. Miss Louisianne Laval provided guidance and support to Dylan.
269. At school, Dylan's behaviour became more difficult to handle. He had a conflict with his class teacher. The Headteacher had to move him to another class. He disrespected and made fun of other teachers and pupils, and used obscene language in class. Around the third term, he started missing school a lot. The Headteacher asked his mother, Saviona to come to school to discuss his behaviour. It was the only time that Miss Louisianne Laval met Saviona because she failed to appear for other appointments. Also present at that meeting was Dylan's Social Worker, Miss Angele Jeannevol. Miss Louisianne Laval

informed Saviona that Dylan needed further support, guidance and assessment of his behaviour.

270. In December, 2014, a document containing personal details, therapy session notes and interventions with Dylan was sent to the Student Welfare Unit at the Ministry of Education. Miss Louisianne Laval referred Dylan because she felt that he needed more help and further assessments.

271. MISS VANESSIA HERTEL – DYLAN’S TEACHER AT THE LA ROSIERE PRIMARY SCHOOL

272. The statement of Miss Vanessa Hertel Laval is found at Appendix 27.

273. Miss Vanessa Hertel was the class teacher of thirty students in P3 and P4 at La-Rosiere school in 2011, and 2012, and Dylan was among those students. She stated that it was with great sadness and shocked that she learnt of the death of her past student Dylan.

274. She acknowledged that Dylan was an average student academically who attended school regularly. He participated in school life activities such as children's day celebration. But he was a young person with a strong character who was always quick to react in any given situation. Like any other students he did get into trouble at school, which resulted in him being reported to the Studies Coordinator.

275. During those two years Dylan was residing with his mother, a young woman with a strong personality.

276. MRS. ANNE-MARIE ELIZABETH – COORDINATOR OF AEP

277. The statement of Mrs. Anne-Marie Elizabeth is found at Appendix 28.

278. During 2015, to September, 2016, Mrs. Anne-Marie Elizabeth was employed as the Coordinator of the AEP aimed at improving the behaviour of students. As Coordinator, she

was in charge of all logistics, such as, organising timetable, and taking attendance as well as recruiting volunteers to deliver the Programme. She also worked closely with the students and their parents.

279. She came to know Dylan on the first Programme, which started on 18 March, to 29 March, 2015. It was a 6 weeks programme held at the Seychelles Defence Academy at Pointe Larue. Dylan joined the Programme a bit late because he was not attending school at that time. He even came in "*coloured clothes*" as he did not have any uniforms. Arrangements were made for him to get some uniforms.
280. Dylan was a boy with a pleasant personality and was very helpful. However, he was an attention seeker. He would touch Mrs. Anne-Marie Elizabeth and Miss Patricia Francourt all the time. At first Mrs. Anne-Marie Elizabeth did not pay much attention to it, but gradually Dylan would do it excessively. It came to a point when she told him very nicely that his behaviour was inappropriate. Dylan did not like it and called them racists.
281. Once Dylan was involved in a fight and as punishment he had to stay back after class to sweep the yard. He then showed some improvement. Consequently, on April, Dylan with two other students had the honour to sit at the table with Lt Col Anacoura for lunch. Dylan was so proud of himself and talked about his conversation with Lt Col Anacoura all the time. He was even chosen to read a poem at the opening of the SDA building at Perseverance. However, on 21 April, he had to stay back again on detention for gross misbehaviour towards Miss Patricia Francourt. He was rude twice that day. Again on 28, Dylan stayed back during lunch time together with some other students because they misbehaved in Miss Patricia's Francourt class.
282. Apart from these few incidents, Dylan was always ready to help, doing the washing up and cleaning the dining room.
283. Mrs. Anne-Marie Elizabeth met Dylan on a second programme called Youth Integrated Support Programme which was a Residential Camp held at Port Glaud Primary School

from 24 August, to 1 September, 2015. At that time Dylan was living at the President Village. He did not seem to have improved much hence his enrolment on the Programme.

284. Mrs. Anne-Marie Elizabeth recalled when Dylan banged the door so hard that it came off its hinges. On the last day, being Parents' Day, Dylan was excited to see his mother. They had contacted her twice and she had promised to come. They waited but in vain. They called her again and she said she could not come. Dylan was furious, became violent and abusive and wanted to fight everybody. Even if the people from the President Village had come to visit, Dylan refused to see them. After some time they managed to calm him down.

285. On another occasion after the Residential, Mrs. Anne-Marie Elizabeth was called to the Village to talk to Dylan because according to them, he was a menace to the other students. They said he was violent, breaking furniture and threatening to set fire. Mrs. Anne-Marie Elizabeth spent some time talking to Dylan and then left.

286. As usual Dylan was very nice to her. At that time he was on a week suspension from school. The following week Mrs. Anne-Marie Elizabeth went to see him at the school. Dylan was doing his exams outside among some other students who were chatting and laughing. Mrs. Anne-Marie Elizabeth recalled taking the exam paper from him as it was not an appropriate setting for an exam. Mrs. Anne-Marie Elizabeth was informed that Dylan could not stay quiet during the exam. Some weeks later, Mrs. Anne-Marie Elizabeth met a lady who works at the President Village who informed her that – *"Dylan in ganny pouse lo vilaz. In fer malelve avek msye Hoareau"*. Anne-Marie lost touch with Dylan as she had retired from her job.

287. **THE MINISTRY OF HEALTH**

288. DOCTOR MIRNA BATISTA SANTOS

289. Dr. Mirna Batista Santos is a Pathologist working at the Seychelles Hospital who carried out a Post Mortem on the body of Dylan. Dr. Santos stated that on 22 May, 2017, between

9:30 and 10:30 a.m. at the Seychelles Hospital Mortuary, the doctor performed a Post Mortem examination on the body of a 13 year old Male identified as Dylan in the presence of Dr Mirna, Dr Rosa and Mortuary Attendant Mr. David and 3 Police Officers. Dr. Santos filled in a Post Mortem Report Form which is attached to the Report as Appendix 29.

290. DOCTOR DANNY LOUANGE CHIEF EXECUTIVE OFFICER OF THE HEALTH SERVICES AGENCY

291. See the court proceedings of 21 June, 2017, at 1 45 p.m., Appendix 30.

292. Dr. Danny Louange stated that the Agency had the Post Mortem Report and some medical notes (2014) of Dylan from the Les Mamelles Clinic. No Psychiatrist, Psychologist and Clinical Psychologist were involved with Dylan at any time. Dylan was never referred for any special health connected service.

293. The Agency had contact with Dylan when his body was brought to the mortuary by the Police. He confirmed that Dr. Mirna Santos did the post mortem and produced a Report.

*"The cause of death, is severe pulmonary edema meaning swelling of the lungs. The lungs were filled up with fluids produced by the body itself. There was heart failure which led to pulmonary edema and then hypertrophic cardiomyopathy. As a result of the heart failure, the heart could not pump the fluids out of the lungs, which caused the fluids to accumulate in the lungs. The heart failure occurred first which then resulted in edema".*

294. Hypertrophy cardiomyopathy means that the heart was bigger than normal. There are different kinds of cardiomyopathy, in the case of Dylan it is hypertrophic, meaning that the wall of the heart was bigger than normal, which made the heart itself bigger than normal. That alone led to the failure of the heart which led to pulmonary edema. The primary cause of death was hypertrophic cardiomyopathy. If Dylan had it before, for example since birth (congenital) he would not have been able to do exercise or breathe properly. There would have been signs or symptoms that he would have had prior to "*just sudden death*". Obesity would not directly cause that heart condition.



295. In Section B of the Report - *other findings* - there are other significant conditions that contributed to this - "*a bigger liver*". In his opinion a "*bigger liver in terms of the disease pathology*" is normal. "*Not because it is swollen, but the liver itself is bigger*". He stated that Dylan was not born with a big liver, but "*something else that caused the liver to swell*". He was of the opinion that it could have been obesity because there were fatty changes or it could have been the same condition which caused the "*bigger heart*". He was further of the opinion that it was unlikely that this liver problem would have had any effect on the heart problem. The heart may have had an effect on the liver or it could have been the effect of *something* that would have caused both the heart and the liver to expand simultaneously.
296. He went on to say that the other organs of the abdomen - the intestine, the spleen and the pancreas - were swollen or congested. That could be related to the death or to the heart failure. The cause of the swollen organs of the abdomen was non-specific as to "*whether it is caused by eating something toxic*". It could be because of the heart failure or it could be *because of something that he had ingested*.

"Q: If it is something that he has ingested, say toxin, then could that be the first cause? If he has ingested something poisonous?

A: It is not impossible."

Further, there is no records to suggest that Dylan had injected himself with anything.

297. There is no mention as to whether the Pathologist took any sample of the stomach contents. There was examination of the stomach, but there is no mention that samples were sent to the laboratory. There were no other observations made in relation to his body, except that there were only scars. The Report states that there was linear ex-coriation on the left hand, there were old scars on the left arm and there were several old scars on both legs.
298. Dylan's body was brought to the mortuary immediately after he was collected on the scene where he died on 19 May, 2017. The Post Mortem was carried out three days later on 22

May, 2017, at 9:30 a.m.

*Q: It seems that the Police or Social Services had stated the fact, they sent a photograph and I think it was taken at the mortuary that on the arm of Dylan there was a scar, something roundish, bluish. This question of assuming, the hospital should clear this for the Inquiry, was this a self-injection; was any sample taken for toxicology test?*

*A: I do not have this information, I heard there were some samples, but I will find out.*

*Q: I will need to know what samples were taken. I am focusing on whether he was poisoned somehow, he died due to drugs, which you called toxicological reason.*

*A: Yes*

*Q: In the stomach contents, what were there? Also enquire, is this a possible suicide, or a possible homicide or self-inflicted or somebody inflicted it on him? Because when he was picked up, he was foaming at the mouth, what caused the foaming?*

*A: Foaming could be the lungs or blood foaming.*

*Q: If somebody had taken an overdose of diamorphine or heroine, those drugs that are on the street, will that cause the ..... ?*

*A: **The findings that you see here that have been described is mainly chronic, that is there was something that has been happening over time to him, and then on that day, something had happened that triggered into heart failure ... that means that there is something that has been building up.***

*Q: When you say building, normally you would say building up over what period of time that could lead to this, two days, three months, ten years?*

*A: I think about months to 2 years. Not days or weeks."*

Doctor Louange was of the opinion that a drug overdose would cause this if Dylan was at

risk. He further emphasized that *"the Post Mortem was undertaken as an ordinary case just like any normal autopsy"*. There were two Pathologists, Dr. Mirnah and Dr. Rosa, and the mortuary attendant Mr. David, as well as three Police Officers. The Doctors are not Forensic Pathologists.

299. The Commission's observations to Doctor Louange —

*"They are Laboratory Pathologists and the manner they did the autopsy was not directed to circumstances leading to the death of Dylan. It is possible that Dylan could have been tasting something which was toxic or injected himself with something toxic, but if it was insertion with something toxic, drugs or whatever, he should have been doing this for months or years before. If it is ingestion, nobody will know because the stomach contents will have to be analysed to find out. If he was injected by drugs or something, then toxicological test would reveal this. Doctor can find out what happened to this test? This boy never went to the Doctor over the last two years."*

300. Dr. Louange stated that Dylan went to the Doctor for epigastric pain, *"means pain in this region that could have been a sign of heart problem"*. Upon the Commission's request, Dr. Louange undertook to give more information on that.

301. The Commission's observations to Doctor Louange: *"We are assuming a lot of things and if you put your team of experts together, eventually it could be natural causes, maybe toxin or maybe something else. If three, four years he has had this problem, the technical name you used in the intestine, this is a sign that he was suffering from heart problem, what did the Doctor do or give, and was he allowed to live with that condition? Can you research this with your team?"*

302. Dr. Louange: I will do that.

303. Dr. Louange stated that this heart or intestinal problem did not have any effect on his character or behaviour. Heart problem would probably have caused him to be less active, have difficulty running or doing physical activities, but not have caused anger or this sort

of behaviour.

304. Other findings - *"mild aortic atherosclerosis"*. Plaque had build up inside his arteries. He was of the opinion that it was not something that could cause death or cardiac arrest. It must happen over a long time, many months. In his opinion such a condition would not be expected in a child and this was a sign that there was a chronic situation building up. Ingesting something or injecting with some fluid can cause this lining to thicken or harden.
305. *Other findings - "severe brain edema"*. He was of the opinion that it could be related to Dylan's death or could be related to his heart failure. Doctor Louange opined that it was most likely that heart failure would have caused brain edema and not the brain edema that would have caused heart failure. He did not know if an overdose of hard drugs could have caused brain edema as he is not an expert in this field, but he undertook to find out based on the factual information contained in the Report.
306. **NB**
307. Mrs. Patricia Francourt, who was listening to Doctor Louange, informed the Commission that when Dylan was on the AEP Programme at SDA, every morning for 6 weeks, Dylan did a one hour drill session. He showed no sign of fatigue. He had a limp, but that did not stop him from doing his drill session.
308. Doctor Louange did not address all the issues raised at the hearing. He forwarded an undated document containing additional information from the pathologist (Appendix 31) containing the following information —

*"1. Cause of cardiomyopathy was not evident during the autopsy. It is advisable to check for history of hypertension or other chronic cardiovascular/hormonal/lipid metabolism pathology in the deceased and family*

*There was obesity, mild atherosclerosis, left ventricular hypertrophy and dilatation. Left ventricular wall thickness was 2.3 cm*

*The chronicity is also evident by chronic passive congestion and fatty change in the liver*

*Yes. Histopathology and Toxicology specimens were taken during the autopsy*

2. *Histopathology processing is under way.*
3. *Toxicology specimens were handed over to the police as usual*
4. *Stomach was empty".*

309. Doctor Louange also forwarded a Report from Miss Anna-Lisa Labiche, Senior Clinical Psychologist, Head Psychological Services, and Mental Health Services.

310. MISS ANNA-LISA LABICHE, SENIOR CLINICAL PSYCHOLOGIST, HEAD PSYCHOLOGICAL SERVICES, MENTAL HEALTH SERVICES

311. The statement of Miss Anna-Lisa Labiche is found at Appendix 32.

312. This is basically a chronological Psychological Summary Report on Saviona's contact with the Psychological Services of the Mental Health Services.

313. On 11 May, 2017, Saviona reported to the Red Roof building, requesting to see a Psychologist. She did not have an appointment on the day, Security Officer informed Miss Gbilimou, the Provisional Psychologist (PP) of her request. Saviona was attended to by the PP, for a brief interview as there were other scheduled appointments on the day. Saviona was seen between 8.30 a.m. - 9.00 a.m. and she informed the PP that she had just left the Paediatric Ward, where her youngest son had been admitted for some days with vomiting and diarrhea. Her son was with her during that interview. He still had his cannula in his hand.

314. Crisis interview was conducted and Saviona reported that she —

- needed help;

- had multiple stressors in her life, such as financial burden (she was not working; had no money, electricity was cut off), and no support.
  - was feeling unwell and unable to cope with her life stressors;
  - was getting financial aid from Social Services;
  - had attempted a suicide 3 years ago, was offered appointment with Clinical Psychologist, but she refused;
  - had suicidal thoughts/ideations at the time, as she believes it is a way to deal with challenging issues but no current plan or intent
315. Basic support was provided to Saviona by the PP and she was advised that her case would be discussed with the Senior Clinical Psychologist, (SCP) who was away at the time. PP also requested that she returned to the Ward, as her child had not been discharged as yet. PP was later informed by the Security Officers and others around at the time that Saviona had left.
316. PP informed the SCP of the sequences of event. Dr. Henriette was informed of that and he said that he would request for Police assistance to locate Saviona. PP made multiple phone calls to her number to ask that she returns to hospital with her son. Saviona replied on only 3 occasions and each time she claimed to be on the bus coming back to hospital. Contacts were also made with district Social Worker and Saviona's mother to assist in locating her but she was not located on the day.
317. On 12 May, 2017, SCP sought feedback from Dr Henriette since Saviona had not been located as yet. PP continued to call during the day but to no avail as Saviona did not answer any of the calls.
318. On 13 May, 2017, being the Psychologist-on-call on the day, Miss Anna-Lisa Labiche contacted Saviona and she answered. Miss Anna-Lisa Labiche asked about her whereabouts but she did not provide any answer. On questioning about the status of her sick son, she said that she had removed the cannula herself and that he was generally better. Saviona was advised to proceed back to hospital, just to ensure that everything was fine.

She told Miss Anna-Lisa Labiche that she would go either later during the day or next day, being Sunday. At that Saviona was offered an appointment with the Clinical Psychologist (CP) for Monday 15 May, 2017, at 8.30 a.m. Given that she had the Psychologist-on-call number, she was asked to call, as need be.

319. Saviona did not attend her appointment on 15 May, 2017. On 16 May, 2017, she came to the Red Rood Building, at 8.15 a.m. requesting to see the Psychologist. She reported that her 1 year old son, who had recently been admitted, had become unwell again. This time Saviona was accompanied to the Paediatric Ward by the PP. The PP was informed, by the Nurse Manager Paediatric Ward that Saviona should go to Casualty Dept for paediatric review. Given recent events, Miss Anna-Lisa Labiche contacted Dr. Henriette to request assistance in fast tracking the review. That was organised and Saviona was again admitted with her son.
320. On 17 May, 2017, Miss Anna-Lisa Labiche requested the PP to conduct a thorough initial assessment with Saviona while she was on the Ward. That was done by PP—Ms Shamova. This assessment revealed that Saviona was—
- craving heroin and that she had been using for the past 10 years
  - requesting medical assistance to assist with the withdrawal at the time
  - not motivated to stop substance misuse at the time of interview
  - not suicidal – no suicidal thoughts/ideations
321. Saviona was later discharged home and her case was to be discussed with Dr Malulu by Senior Clinical Psychologist. On 19 May, 2017, a phone call was received from Social Worker by PP – Miss Gbilimou to inform about the passing away of Saviona’s eldest son. According to the Social Worker, she was concerned that Saviona might threaten suicide after having had to identify her son’s body. Hence, she was requesting assistance if the need would arise. No such request was ever made to the Service.
322. Miss Anna-Lisa Labiche’s Report does not provide an evaluation of Saviona mental state

or assessment for the presence of any psychopathology. Rather it is merely a recollection of Saviona's contact with the Psychological Services over the short time.

323. **MINISTRY OF LOCAL GOVERNMENT**

324. MISS BERNADETTE ROSALIE - DISTRICT ADMINISTRATOR - MONT BUXTON

325. The statement of Miss Bernadette Rosalie is found at Appendix 33.

326. Miss Bernadette Rosalie the District Administer, Mont Buxton first met Saviona on 28 April, 2015, when she came to seek assistance under the Agency for Social Protection scheme. She was advised to make an application. She insisted on being assisted on the same day as she did not have any food to feed her two children, namely, Dylan and her baby girl. Miss Bernadette Rosalie phoned Mr. Simeon's (CEO, ASP) office and spoke to his Secretary who advised her to wait for a feedback. While she waited for a feedback Saviona was advised to seek full employment in order for her to have a better life for her family and she agreed. She wanted the District Administration Office to help her out.

327. A response was given by the Agency for Social Protection that same afternoon for her to collect her financial assistance from the Agency the same day, which she did.

328. She met Saviona at her office again on 4 May, 2015, and together with the Office Assistant they spent half day preparing 10 job application letters. The Office Assistant also helped Saviona to prepare a CV to accompany all the applications. Saviona asked the Office Assistant to mail all her letters as she did not have the means. The applications were mailed the following day.

329. That was all the official contact that Miss Bernadette Rosalie had with Saviona.



330. **NATIONAL ASSEMBLY**

331. **HONOURABLE GERVAIS HENRIE**

332. The statement of Hon. Gervais Henrie is found at Appendix 34.

333. Hon. Gervais Henrie Elected Member for Mont Buxton District stated that he did not know Dylan and did not recall ever meeting him or have personal knowledge of him or his individual circumstances. The first time he heard of him was upon hearing his sad passing on Friday 19 May, 2017. Upon inquiring about who he was, he was informed that Dylan was a former resident of the President Village at PortGlaud. He called Mr. Jules Hoareau in his capacity as the Chief Executive Officer of the Children's Home Foundation who told him of Dylan's story to the best of his knowledge. At that time, Dylan's grandmother was in the car with Mr. Hoareau and Gervais had a brief conversation with her mainly to present his condolences to the Rose family. Since the family is from Union Vale which is situated in English River, as the MNA of Mont Buxton, Hon. Gervais Henrie has no knowledge of them until this unfortunate incident.

334. Requests for any relevant information were sent to Hon. S. Arissol MNA of St. Louis and Hon. W. Herminie MNA of English River, but they did not respond.

335. **THE JUDICIARY**

336. **HONOURABLE CHIEF JUSTICE DR. MATHILDA TWOMEY (the "CJ")**

337. Emails are found at Appendix 35.

338. The CJ on 17 March, 2017, at 6 p.m. responded to an email from Learned Magistrate George Robert regarding vulnerable offenders and the CJ undertook to pass it on immediately.

339. On Monday 3 April, at 8.00 a.m. the CJ met with Minister Jeanne Simeon regarding CJ's concerns at the lack of facilities where young and vulnerable accused persons were remanded, an issue raised by the Magistrates. The CJ also had a civil claim concerning a 14 year old detainee who was raped in a cell at Anse Etoile Police Station by an adult detainee in the same cell. The CJ also raised the matter of detainees with mental problems who are declared fit so that Psychiatric Services do not have to house them and the court is left with releasing them back to their families in cases where they are a danger to themselves and their families.
340. As a follow-up from that meeting a visit was made to the Dove Centre/Juvenile Centre Praslin by Minister Jeanne Simeon Family Affairs; PS Linda William-Melanie, Family Affairs; Minister Home Affairs, Commissioner of Police and Judge Laura Pillay on Thursday 20 April, 2017, in the afternoon. The Office of the Secretary of State Dr Herminie also sent a representative.
341. On 20 May, 2017, the CJ emailed Mr. Mohamed Afif of the President's Office regarding vulnerable children. The CJ transmitted what Magistrate Robert had informed her concerning another boy staying at the safe place who had threatened to take his life this week. As such the Magistrate Robert ordered extra conditions on both children at the safe place that they be under 24 hour supervision and for them not to be left alone and all items that can be harmful to be removed.
342. In her email to Mr. Afif asking him to bring the content of an email forwarded to him, to the attention of the President as the CJ did not have an e-mail address for him. Following her first letter to the President on the issue of vulnerable young offenders, an urgent meeting was held by the stakeholders concerned and a visit arranged to Praslin to identify a safe place for them. At that stage they had three children in Perseverance Police Station in poor conditions. A stalemate ensued as they were told that the old Youth Training Centre was being refurbished for drug rehab.

343. Magistrate Robert was inconsolable on 19 May, and the CJ had to send him home. Despite all her efforts telling him otherwise he blames himself. The child who passed away was very young.
344. The CJ stated they have these issues quite often. There is no place to remand these very young child offenders. They were particularly worried about Dylan who had never had a break in life. She called for urgent debriefing and action to remedy the situation immediately.
345. On 20 May, 2017, Magistrate Robert emailed the CJ a further Report. He reported that Dylan remained at the safe place (Perseverance Police Station) until 24 April, 2017, at which point Social Services took supervision of him in the care of his mother which is detailed in their report. On the Court sitting preceding the action of Social Services, the Court advised Social Services and Dylan should receive a mobile phone with a direct number to an Officer of Social Services and that if ever he was afraid, in danger or returned to the streets he would call the said Officer and someone would come and get him and put him in safety. This was understood by both Dylan and Social Services.
346. Magistrate Robert noted that during Dylan's stay at the safe place it had come to his attention that the orders in relation to the habitability and protection of children's rights made by the Court were not being executed. Thus, the Juvenile Court members and himself, inspected the safe place. He was horrified to witness the conditions of the same. Dylan was shirtless and laying on an old piece of foam on the concrete floor; the windows were boarded up with a piece of cardboard and as such it was dark with no natural light; he only had a small cushion and the cell door was closed. Magistrate Robert immediately informed the Commissioner of Police to rectify these clear breaches of human rights. Seven days after that he was informed that the Government did not have the budget to rectify these breaches. Magistrate Robert stated that as a citizen of Seychelles he took it on himself to rectify the said breaches, as no child should be subjected to such conditions and he bought mattresses, pillows, bed sheets etc. and donated it to the safe place.

347. Further, as the Juvenile Court had a few children coming through the system in a similar situation as Dylan, Magistrate Robert personally contacted the Commissioner of Police to suggest using a small part of the Academy for vulnerable children which such suggestion was rejected as he was using all the facilities. Magistrate Robert spoke to the Director of Social Services and categorically explained in law her duties and responsibilities under the Children's Act. She told Magistrate Robert that she has attempted for years to bring this to the attention of the Executive Government but it has fallen on deaf ears. He told her that response was not sufficient and that she needed to exercise her powers and actively seek out residences where to cater for vulnerable children, to which she agreed. Finally, Magistrate Robert spoke to various Social Workers, who he added, acted valiantly in fighting for children's rights, where they discussed contacting various churches, the National Children's Council and other children based establishments for assistance; however unfortunately these establishments could not assist.
348. Magistrate Robert was also informed that he has to take up the matter with the Minister responsible, the Commissioner of Police and other Government Officials and addressed his report and the judicial concerns.
349. Finally, Magistrate Robert stated that it is his legal opinion that the responsibility of this tragic incident falls on the Executive Government as they have a statutory duty to maintain such establishments to cater for such children and they have been aware of these responsibilities as portrayed above. He prayed that the Executive Government acts immediately to rectify the said breaches before we face another tragedy.
350. HONOURABLE JUDGE LAURA PILLAY
351. The statement of Judge Laura Pillay is found at Appendix 36.
352. The first meeting addressing the issue of juvenile detention was between the Judiciary and the Ministry of Internal Affairs on 7 February, 2017. It was attended by the Chief Justice, Judge Burhan, Senior Magistrate Pillay (as she then was), Assistant Registrar Barbe,

Minister Larue, Minister Jeanne Simeon, Dr. Herminie, COMPOL, Principal Secretary Linda William- Melanie, Mr. Quinn and Mr. Malvina from the National Drugs Enforcement Agency (NDEA).

353. The meeting came about as a result of specific requests made by the Minister for Internal Affairs with regards to specific issues —
1. the Anse Royale Magistrates Court and Victoria Magistrates Court 'A';
  2. delay of cases before Court;
  3. fast track or cases involving tourists;
354. The case of Dylan was not addressed specifically other than with regards to an order made by Court Magistrate 'A' which imposed certain demands on the Police when these matters were matters which should have been addressed by the Social Services Department.
355. Thereafter in a meeting on 3 April, 2017, between the Chief Justice, the Minister of Internal Affairs, Minister of Family Affairs, as well as their respective Principal Secretaries, and COMPOL, following the CJ's letter to the President regarding the issue of urgent need of a Detention Centre for juveniles, the same issue was addressed. To note that the CJ wrote to the President following a letter written by Magistrate Robert with regards to that issue specifically and as a result of concerns he had when the case of Dylan came before him in February, 2017.
356. In that last meeting, all present agreed that a high level team should visit the Praslin Centre, ex- YRTC, to see if arrangements could be made to house juveniles temporarily. That visit was conducted on 20 April, 2017, and a Report was produced.
357. THE THEN MAGISTRATE GEORGE ROBERT

358. On 15 March, 2017, Magistrate Robert emailed the CJ to bring to her attention his growing concerns in relation to the sentencing of vulnerable offenders which said concerns were shared by his colleague, Senior Magistrate Pillay (then).

359. He made reference to the United Nations Convention on the Rights of the Child which the Seychelles has ratified that places certain obligations on the State concerning the welfare of children. Specifically, he drew attention to Article 40 (1) of the said Convention that states —

*"States Parties recognise the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society."*

360. As such, when dealing with children who are implicated in criminal matters, the Courts must treat these children as vulnerable persons and thus have the proper resources available to ensure that the rights granted to the children in Seychelles are protected.

361. The law in this area would suggest that rehabilitation for children would be the main goal and incarceration be the last resort, which is consistent with Sections 94 and 95 of the Children's Act and Article 37 (b) of the said Convention which states inter alia, "*detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time*".

362. Thus, the Courts and Tribunals require the full deck of sentencing options to allow for the Law in Seychelles and its international obligations to be met. This cannot be fully achieved without a Juvenile Centre - which Seychelles currently does not possess.

363. As a Magistrate, the fact that there are no Juvenile Centres in Seychelles is of great concern. An example which portrays this concern is the case of *R v Dylan Rose FH 5 of 17*. In this

case, Dylan, being 13 years of age, came before the Court as a suspect in an investigation involving various thefts where the Police were applying for further holding of the same. The young boy had been neglected by his mother, who is a drug dependent person; was sleeping at the Victoria Bus station and he had not eaten in days. His father is a convict serving a custodial sentence at the Mt Posee Prison and Dylan has no other guardians responsible for his wellbeing. Given the abovementioned Convention it would not be proper to remand the child to a Police Station.

364. Further, Rule 5 of the Children Act (Juvenile Court) Rules makes it mandatory that a child cannot be remanded to Prison but to a Juvenile Centre. However, the said rule does allow a child to be remanded to a "*safe place*" if there are no places available in a Juvenile Centre. The language of the Act presumes that there is currently a Juvenile Centre which is of concern as without the same the purpose of the Act cannot fully be achieved. As it currently stands there are no "*safe places*" available to hold a child within the criminal justice system.
365. Thus, with the limited statutory powers under the Children Act, Magistrate Robert had attempted to provide for a temporary solution to this problem by situating the Perseverance Police station into a "*safe place*" by ordering that certain measures be taken to uphold the abovementioned Convention. The child, Dylan, was at the time not on remand but due to his circumstances he was under the supervision of Social Services and the Police at the said safe place whilst Social Services attempted to find a just solution for the child. However, due to the lack of resources that was proving to be problematic, which was of concern as the most recent report shows that due to the intervention of the Court Dylan's behaviour was changing to the positive and he was eager to return to his schooling.
366. His Magistrate colleagues have also used the transformed Perseverance Police station when dealing with children that come before their Courts or Tribunals. It is his humble opinion that the Executive needs to urgently address this situation as the current arrangements are not consistent with the abovementioned Law in Seychelles or Convention and needs to be rectified. Put simply without a Juvenile Centre to deal with child offenders they cannot meet the ends of justice and uphold the Law or the said Convention.

367. Magistrate Robert also brought attention to another group of vulnerable offenders, that being persons suffering from mental illness. Article 36 of the Constitution of Seychelles recognises the right of disabled persons to special protection for their welfare, maintenance and greatest possible development. Currently Seychelles does not have a special facility to admit persons that fall within this category. The result being the Court is constrained in its sentencing which subsequently curtails its ability to meet the ends of justice.
368. A current example is the case of *R v Jossen Ernesta case numbers 925/15 and 926/15* which involves criminal trespass and an assault on Police Officer respectively. The convicted person was serving a 3-month custodial sentencing for breaching a Family Tribunal Order which involved the trespass to the property of his parents which is the same particulars for the above said case. Due to the convicted person's behaviour in Court, Magistrate Robert called for a report regarding the convicted person's mental state. It is clear from the report that the convicted person is suffering from mental illness, however, it is of concern to note that the Doctors involved in the said report were refusing to label him with a medical term considering the contents of their report.
369. It seems that this stance has been taken as the State currently does not have the proper facilities to deal with such persons. This is of grave concern as it limits the powers of the Court to order sentences that is just and fair in the circumstances of each case.
370. Again, it is his humble opinion that the Executive needs to urgently address this situation as the current arrangements are not consistent with the Constitution and needs to be rectified. Without a facility to deal with these vulnerable persons the Court is curtailed in its ability to meet the ends of justice.
371. The statement of Magistrate George Robert is found at Appendix 37.



372. **THE SOCIAL SERVICES AGENCY**

373. MR MARCUS SIMEON THE CHIEF EXECUTIVE OFFICER OF THE SOCIAL SERVICES

374. The statement of Mr. Marcus Simeon is found at Appendix 38.

375. Mr. Marcus Simeon, the Chief Executive Officer of the Social Services Agency reported that Saviona had been a long standing client of the Agency going as far back as 2011. For the most part, assistance was on the ground of unemployment. The last renewal was in June for the sum of Seychelles rupees 2,500.00/- monthly, which is the maximum allowable in cases of unemployment that ended in August.

376. The Agency then received the unfortunate news of the passing of Dylan and together with the Social Affairs Department and the Children's Trust Fund they stepped in to provide financial assistance which catered for the full cost involved with Dylan's funeral.

377. The Agency helped with the expenses covering the cost of the coffin and funeral clothes for Dylan. Assistance was also granted in the form of a one off payment to help reconnect water and electricity supply at Saviona's residence that had run into arrears. These were paid directly to the different suppliers.

378. Given his age, Dylan was never assisted directly by the Agency but for a brief period November 2013 to May 2014. Dylan was placed under foster care, done through the Social Affairs Department, with the financial assistance granted under the Scheme during that period.

379. Saviona worked briefly as a home carer for 2 months in 2014, and that was all the financial assistance provided either directly or indirectly to Saviona and Dylan.

380. It was widely felt by all staff that dealt with Saviona over the years that she has some serious issues notably in relation to drug abuse and her unwillingness to contribute actively

in society through work. She used her children as a means to get financial assistance. Things are now more difficult as the Agency is moving towards more conditionality when granting financial assistance.

381. **THE SEYCHELLES DEFENCE ACADEMY (SDA)**

382. Lt-Col EDWARDS ANACOURA

383. Lt-Col Edwards Anacoura stated that he had known Dylan through the AEP designed and ran by the Ministry of Education at the Seychelles Defence Academy. The Programme, which was non-residential, ran for six weeks from Monday to Friday from 8 o'clock in the morning to 3 o'clock in the afternoon.

384. The Programme was run under permanent supervision and leadership of selected mentors, facilitators, counsellors, school teachers and social workers with the frequent involvement of guest speakers from different relevant institutions, all orchestrated by the Ministry of Education. The contribution of the Seychelles Defence Academy vis-a-vis the said Programme was to ensure that the Alternative Education Programme was being run in a controlled and conducive environment.

385. Lt-Col Edwards Anacoura confirmed that Dylan was part of the first cohort of the 2015 Programme running from March to April. The Ministry of Education procedural referral Alternative Education documentations characterised Dylan from S1 English River School as a student with behavioural conduct specifically he —

Lacked respect for pupils and staff

Displayed challenging behaviours

Tried to undermine the role of the teacher

Missing school

Revealed to the school head, that he was using drugs

Lacked interest in his studies.

386. Lt-Col Anacoura stated with certainty that he visually observed that Dylan adapted very well with the environment at the Academy and the Programme of instructions, compared to some other students. He got along very well with the Staff of the Academy and was always given packed dinner for him and his family before leaving the Academy every day. But unfortunately, he was never visited by his parents while on the Programme compared to other students.
387. Lt-Col Edwards Anacoura recalled that during one of the rare occasion that students on the Programme have to lunch with the Commandant of the Academy, only after displaying exemplary behaviour, Dylan stated that he was looking forward to continue with his education in order to fulfill his dream of becoming a lawyer. They eventually explored his actingship in one of the piece of concert staged to advocate the essence of discipline in the youth.
388. After the conclusion of the six-week Programme, Dylan expressed his willingness to see a change in his life and was very optimistic about his future. Lt-Col Anacoura subsequently learned through the Ministry of Education that Dylan was not doing well and had ultimately ended up at the President's Village. Lt-Col Anacoura later on learned that he was out of the Village and out of school. He never met with Dylan since the conclusion of the Programme.
389. The statement of Lt-Col Edwards Anacoura is found at Appendix 39.
390. MAJOR JUDE RAOUL
391. The statement of Major Jude Raoul is found at Appendix 40.
392. Major Jude Raoul Adjutant (Deputy Commandant), on his own behalf and on behalf of all Seychelles Defence Academy's Staff, expressed sincere condolences to the family and friends of Dylan, as it was with great sadness that they received the news of Dylan's death. He could still remember Dylan's friendly smiling face.

393. Major Jude Raoul first met Dylan when he came to the Seychelles Defence Academy as a candidate for the Alternative Programme put forth by the Ministry of Education, of which the SDA were partners in making it a success.
394. Major Jude Raoul knew Dylan as a chubby friendly boy, he was intelligent and had an innocent speech. He still remember when once he asked Dylan why he was in the Alternative Programme, he would answer in an innocent way and softly said - *"sir, mon pa konnen mwan, mon pa en move dimoun mwan, manrmay ki sikann mwan, ki fer mwan ankoler"*: then Major Jude Raoul would ask Dylan, so what happened then after they have made you angry, he would softly answer, *"sir, be prezan mon lager ek zot"*,
395. During his six weeks on the Programme at the SDA early 2016, he was never among those students who needed to be put aside for special corrective action. Dylan always portrayed himself as an intelligent and respectful student. On his last day of the Programme he wrote a poem and asked for forgiveness from everyone that he might have hurt and he asked everyone to help him changed to be a better person.
396. Dylan never showed signs of being someone who was abusing drugs or alcohol, but rather someone who lacked attention and love. If you gave him those, he would be attached to you and be your good friend. Major Jude Raoul wished that assistance was given to those in need so that we do not lose any more young lives.
397. **THE SEYCHELLES POLICE FORCE**
398. **SUPERINTENDENT FRANCOIS FREMINOT**
399. The statement of Superintendent Francois Freminot is found at Appendix 41.
400. Superintendent Francois Freminot who recently took over as the Head of the Detective Services of the Seychelles Police Force attended the hearing on 21 June, 2017, as representative of the Commissionerr of Police, in response to the summons to attend.
401. Supt Francois Freminot stated that he interviewed certain Police Officers and their names

are on the written submissions he has made to this Inquiry. He also submitted statements contained in the case file regarding Dylan's death. Dylan was also involved in 3 criminal cases before the Juvenile Court. He also enquired from Police Officers of the Child Protection Unit and the Family Support Squad. He will endeavor to get statements from Officers who attended Dylan at the Perseverance Police Station.

402. Toxicology test is done overseas and was not yet received. That test was done to establish if there was a possibility that Dylan injected himself with drug. Spt Francois Freminot undertook to take it up with Supt Bouzin because sometimes it takes at least 3 months. He also undertook to find out whether Dylan was right or left handed, in view of the puncture mark found on the skin of his arm when his body was collected at the abandoned house. He further undertook to submit a report on the roles of the Family Support Squad and Child Protection Unit and what these Officers did in connection with Dylan.
403. The Child Protection Unit had received a formal complaint on 3 May, 2017, from the Social Services to initiate criminal action for child neglect against Saviona. The matter was being proceeded with but interrupted because Saviona was in hospital with her child. They had already taken a statement from Dylan. A copy of his statement has been submitted to this Inquiry and is included in the Report. The matter will eventually be proceeded with as there are other children involved.
404. The Police mandate is limited to criminal issues involving children or members of the family. It is outside their mandate to deal with other matters related to children such as truancy, misbehaviour etc. The Police is not trained or even equipped to undertake the management of such other social issues. They are mindful of the resulting negative consequences if they happened to mishandle any such social cases.
405. Of late, the Police is observing an increase in regards to gang of children from various schools fighting on the public road. Their only recourse is to investigate the case and if criminal offence is detected the responsible party is prosecuted. However, they sometime refer such cases to Social Services or at least involved them in the process of investigation. The Police have increase road patrol after school in order to curb such incidents.

406. The Police investigated the matter when it was informed of the death of Dylan that morning. Copy of the statements recorded will also be submitted. Nothing incriminating was found on the scene in that abandoned house, such like syringe, needle etc. However, if drug was involved the toxicology report is of essence to determine that.
407. ***Follow-up Report of Supt Francois Freminot***
408. Supt Francois Freminot submitted reports which have been abridged hereunder.
409. Sometime in 2014 when Supt Francois Freminot was the Head of the Seychelles Police Academy, he had a rather short recollection of Dylan being sent to Academy. At that time Dylan was staying at the President's Village and he was having behaviour issue. The purpose of his presence at the Academy was to try and rehabilitate him as well as other his colleagues with regards to their behaviour. They held talks with them, drills as well as doing some work at the Academy. Unfortunately Supt Francois Freminot could not remember the length of his stay at the Academy. He believes it was on a daily basis for one week and is able to confirm with the representative from the President Village as that person was not available.
410. In 2015 when he was transferred to the Detective Services he was called by the then Sergeant Natasha Marengo (now working as an NDEA Agent) to talk to Dylan. Unfortunately Supt Francois Freminot could not remember the exact date. The previous night Dylan had fought with some Police Officers as he was reluctant to go to his mother's place. Supt Freminot spoke to him on that particular day but do not remember their conversation but Dylan was not someone who disobeyed him. Supt Francois Freminot ordered for Dylan to be detained at the Perseverance Police Station for a while. Supt Francois Freminot was informed that Dylan broke the toilet there and he gave instruction to have a case instituted.
411. As he was summoned to come to the Inquiry he took the liberty to inquire more about Dylan's case. Most of the Police Officers who had interacted with Dylan are working at the Child Protection Unit or were working in the then Family Support Squad.

412. Supt Freminot also submitted reports on the role of the Police Child Protection Unit and the Family Support Squad in addressing social ills involving minors.
413. The mandate of the **Child Protection Unit** is to investigate cases where the child is at or below the age of 14 years and is the victim. This ranges from child neglect, assaulting a child, to children being sexually abused. The process is as follows—
- In first instance the offence could be picked up by Social Services, parent or guardian and then the Police is informed.
  - In cases where the parents are not the victim the child is interviewed in the presence of his parent or guardian
  - In cases where the parent is the suspect, Social Services may assist with interviewing of the child
  - Then the investigation is done
  - The Child Protection Unit is closely linked to the Social Services which facilitates follow-up of the child.
414. The Child Protection Unit does not handle social cases though some may reach their Offices. Recently they have been advised to keep a separate file in case they deal with any of those cases so that it may facilitate referrals and follow-up. However this is not part and parcel of their mandate.
415. The **Family Support Squad** is a Unit which is responsible for combatting crime against Women and Children. Their responsibility is to investigate cases as well as to provide a service where educational lectures and informal guidance are given to prevent incidents of crimes against women and children.
416. The unit is responsible to investigate cases where the victim(s) of crimes are —
- Aged between 15 and 18 years
  - Sexual assault or abuse, all women older than 14 years

- All cases of bullying, where the acts or behaviour of any person or group of people results in physical, verbal, social or cyber-crimes.
417. The unit is also responsible for the prevention of crimes against women and children, which include —
- Initiating programmes to educate the public about their rights regarding domestic violence, bullying and sexual offences
  - Conducting crime educational lectures, interactions and talks at schools, churches and other youth Centre's
  - Liaising with other stakeholders and departments such as the Social and Health Services in order to assist victims of crime.
418. The Unit also attends to any other issues as deemed necessary by the Commissioner of Police or Detective Head of Police. Where the minor is a suspect, the case is handled normally at station level where the case occurred. In these cases the following are not done —
- After care, follow up of the suspect
  - Continuous monitoring of the suspect and provision of support
  - Profiling of the suspect (family background and possible threat to his or her future)
  - Follow-up to identify the root cause of the behaviour
  - In most cases the child takes up the blame
  - There is no rehabilitation process or follow-up
  - No proper mechanism in place for ongoing support and follow up
  - It goes without saying that the primary focus of the Police is to complete the case and forward it before the court
419. Regardless of the mandate of the Police, including the two specialized Units, referrals are often made to the Police and specifically the two specialized Units with regards to the following —



- Children having difficulties with getting along with their parents
- Children not attending school
- Children roaming the streets and reluctant to stay at home
- Recently there have been cases of bullying and fights amongst children especially after school hours
- Children of disruptive behaviour within the community and at home

420. In cases like these the Police will usually undertake the following —

- The child is brought at the station or to the Child Protection Unit or Family Support Squad
- A Police Officer may undertake a counselling process. In a lot of cases the Police Officer is not properly trained to deal with minors
- The Police Officer may request that the child report on another date for follow-up which is rarely done
- In certain instances, upon the request of the parent, the child can be locked up and in most case referred to the Social Services
- The Social Services may see the child depending on the nature of the case or request the Police to return the child to his or her parent or guardian and that they will follow-up later.

421. In a recent case a 13 year old boy ran away from home (not Dylan). He was apprehended by the Police and the mother reported that he is a troubled child and hence requested for his detention. The Police detained the child for fear that he will escape again or harm himself. He was detained on a Saturday. The case was referred to the Social Services. The following Monday the Social Services requested that the child be placed in the care of his parent and that they will follow-up.

422. There is a lot of concern especially with regards to the follow-up of minors who are delinquent. However one thing which Supt Francois Freminot believed **have been**

*mutually agreed is the need for a specific centre and proper mechanism for follow-up of the child for his or her own benefit.*

423. The Police has to date struggled with the decision of how far to get involve in social ills especially when it concerns a minor. What is apparent is that somehow or other the Police needs to join effort in such fight. However administratively the Police have restricted involvement and focus more or less on whether an offence has been committed or not. Supt Francois Freminot knows that Police needs to join effort but he believes there should be more discussion on the best way the Police can help. He does not have the answer for that except that whatever the Police needs to do in that domain there should be a proper structure and Police Officers need to be well trained and prepared.
424. ASSISTANT SUPERINTENDENT HENDRICK LEON
425. In his statement (Appendix 42) Assistant Superintendent Hendrick Leon who was the Officer-in-Charge of the Family Support Squad at the time, stated that he received a phone call at the Central Police Station on 19 May, 2017, at 07.30 hours from PC Desir of the Response Unit that there was a young boy who was not responding in an old house close to the flat opposite Apon's shop.
426. Immediately Officers from Central Police Station, Scientific Support, and Criminal Investigation Unit which included Officers from the Family Support Squad proceeded to Mont Buxton on investigation. Upon arriving on the scene, a young boy, who was identified as Dylan, was found in a sitting position in an old chair in an abandoned house. His head was leaning towards his left shoulder. He was wearing a black T-shirt and there was a black cap on his left knee. He was examined by Sgt Robin Legaie and froth was seen coming out of his mouth. A **puncture mark** was also seen on his left hand. A hand written note was found in his right side short pocket and that was handed over to Inspt Aubrey Quatre of Scientific Support. Paramedic Joel Jumaye and Jeffrey Mousmie attended the scene. The body was then moved to the mortuary where he was certified dead at 09.25 hours by Dr Nirma Batista Santos.

427. On the 22 May, 2017, a post-mortem examination was conducted on the deceased by Dr Nirma Batista Santos who gave the cause of death as (a) Severe Pulmonary Edema, (b) heart failure, (c) Hypertrophy cardiomyopathy. **Some samples have been taken by the Police for further analysis.**
428. Dylan 13 years old at the time of his demise. About three weeks prior, he was placed back into the care of his mother, Saviona Rose, by the Social Services after he has spent almost three months in the cell at Perseverance Police Station. He was placed there on a Court Order as he had no convenient place of abode. He was always on the street where he was involved in criminal activities. According to WPC Diane Valentin, Dylan had three cases pending in court: one for damaging property, and two cases of stealing in vehicles where he was charged, together with an adult accomplice. In 2016, Dylan also spent sometime at the President Village and at some benefactors' home. However, he eventually found his way back on the street. There is also a Court Order by Magistrate Georges Robert for Social Services to work on the possibility to bring him back to school. A case conference was held at the Ministry of Education at the beginning of this month to discuss the issue of accepting Dylan. The Police was represented at the conference but other agencies concerned did not attend. There are also conflicting information which has been brought to the attention of the Police as to whether Dylan was a drug addict and what type of drugs he was abusing.
429. Assistant Superintendent Hendrick Leon addressed a request to a Magistrate in Victoria for a post mortem examination on Dylan. In his request he stated that —

*"The Police reported that on the above mentioned date (19 May, 2017) received a phone call that there is young boy in the same house sitting in a chair and foam coming from the mouth and he was not responding. Police and paramedic Joel Jumaye attended scene. **The body was examined and found a small mark on the left side wrist with a small dot of red substances suspect to be blood.** ASP Leon added that at 0926hrs, the body was transported to the mortuary where Dylan was examined and certified dead by Doctor Mirna Santos. An investigation has started into this case and in order to determine the exact cause of death and to rule out any foul*

*play, Assistant Superintendent Hendrick Leon was therefore requesting for a post mortem on the said body".*

430. SERGEANT TRAVIS POINTE

431. Sergeant Travis Pointe does remember clearly whether it was once or twice that he had to convey Dylan to his Mother's place after he escaped from home. He thinks it was somewhere in 2014-2015. According to him Dylan often complained of being ill-treated at home. His statement is found at Appendix 43.

432. CORPORAL SULTAN AMICE

433. In his statement (Appendix 44) Corporal Sultan Amice stated that twice he had to convey Dylan to his mother's place. Dylan was frequently picked up on the street by Police Officers. Whilst on the street Dylan will ask for food and loiter. When he was picked up by Police Officers, he was referred to the Family Support Squad and then brought to his residence. According to Corporal Sultan Amice, Dylan had difficulty relating to his mother.

434. CORPORAL MARGARET THELEMAQUE

435. Her statement is found at Appendix 45.

436. Corporal Margaret Thelemaque worked at the Family Support Squad and recalled on a separate occasion when she brought Dylan to his residence. She could not recall where he was picked up neither could she remember the year and date of the incident. She stated that Dylan refused to go to his mother's place. Dylan complained that his mother sold his items (video games, television etc ...) in order to buy food for them as she was not working. However, she had no option but to convey him there. Upon arrival at his mother's place, Dylan showed them a plastic bag containing Dylan's clothes picked up by himself as he did not want to stay there. Afterward he escaped again from his residence.

437. On another occasion Dylan escaped again and was picked up sleeping in town. Corporal Margaret Thelemaque contacted the Social Worker Miss Angele Jeannevol. Dylan was

detained in cell for preservation of life as there was no other place to house him. Corporal Margaret Thelemaque did not follow up after that.

438. On another occasion Dylan was again picked up and when he was brought at his mother's place her mother refused to take him in and Dylan stated that he will escape again. In the end they managed to get help from the Ste-Elizabeth Convent where he was housed for the night but she did not follow up after that.

439. POLICE CONSTABLE COLLIN FIGARO

440. His statement is found at Appendix 46.

441. Police Constable Collin Figaro once worked in the Family Squad. He recalls intervening on a few occasions with Dylan when Dylan was about 10 years old at the time. ***Police Constable Collin Figaro strongly blames Dylan's Mother for neglecting Dylan. He conducted verbal interview with Dylan who complained that his mother had sex in front of him, she refused to provide him with the basic necessities and fought with him.*** Police Constable Collin Figaro had brought Dylan about three times to his mother's place. Most of the time Dylan was picked up on the street. Police Constable Collin Figaro once had to intervene to prevent Dylan's mother from assaulting Dylan with a hammer. Police Constable Collin Figaro tried to help Dylan in the best way he could.

442. Overall referrals were sometimes made to the Social Workers but there was no collaborated effort to tackle the issue. Neither was there any evidence of Dylan's mother being called to try and address the issue.

443. Dylan continued to remain on the street and information gathered indicated that Dylan was on drugs and was also involved in a few cases of theft.

444. There were three cases of stealing from vehicle registered at central Police Station during the year 2017, wherein Dylan was involved. The cases were as follows —

- CB 148/01/2017 complaint by Marcus CHARLES of Cascade. The case was reported on the 22 January, 2017. Dylan was remanded and charged along with one Micheal JULIETTE
- CB 54/02/2017 complaint by Robert SECOMBE of Aux-Cap. The case was reported on the 1 February, 2017, at 0023hrs. Dylan was remanded and charged along with one Guilly LABLACHE
- CB 55/02/17 complaint by Shaun HAYLOAN of Aux-Cap. The case was reported on the 1 May, at 2305hrs. Dylan was remanded and subsequently charged along with one Guilly LABLACHE.

445. *In May, 2017, Miss Angele Jeannevol filed a complaint of Child Neglect to the police against Saviona. The Police recorded a statement from Dylan on 10 May, 2017. During that week Saviona was in hospital with her son Isham.*

446. Dylan passed away on 19 May, 2017. He was seen in an abandoned house at Mont-Buxton. Post Mortem examination reveals the cause of death as severe pulmonary edema and also heart failure. *The Police do not suspect any foul play in relation to the death of Dylan. The investigating Officer in the case is Assistant Superintendent Hendrick Leon.*

447. MR. CHRISTOPHER AH-KON

448. The Police Statement of Mr. Christopher Ah-Kon is found at Appendix 47 and is reproduced hereunder —

**"TRANSLATED STATEMENT OF CHRISTOPHER AH-KON**

*I wish to say that I'm living with my wife since twenty-two years also my five children and one adopted child. I knew a boy by the name of Dylan Rose 13 years old whilst attended a meeting with my son for bad behaviour. Afterwards I have seen Dylan so often at English River opposite Krishnamart's shop and from there he became closer with me and also my cousin Audrick Hortence was in a relationship with his mum. Dylan was always seen roaming in the Market Street or Krishnamart begging and wearing a clothes for about 2 or 3*

*days, he was a bit chaotic. Dylan also avers to me that his mum dislike him and do not gave him food. It was on Thursday the 18<sup>th</sup> of May 2017, about 2pm that I have seen Dylan at English River opposite Krishnamart Shop and he was begging. Afterwards we went to Mont Buxton and we reached there about 3pm. We went to the house of Denise Hertel where Dylan bought heroin (drug) for a value of Rs125/- from Johnathan Barbe. The powder was yellowish and we went to an old abandoned house which was not far owner was a namely Abdullah, arriving there, there were other guys age 20 years to 30 years and Dylan was the youngest. We share the drugs together, I used syringe and Dylan was using on foils to "chase". I left Dylan at about 3.30pm. It was on the next day about 9am that I have learnt the death of Dylan Rose. I wish to add that I have previously seen Dylan making another guy who picked up pets to inject him because Dylan was always scared to inject himself. I have warned him on several times not to use the same syringe with others also if he scared not to do it.*

*Signed: C.Ah-Kon".*

449. MR. NELSON CHANG-TY-SENG

450. The Police Statement of Mr. Nelson Chang-Ty-Seng is found at Appendix 48 and is reproduced hereunder —

**"TRANSLATED STATEMENT OF NELSON CHANG-TY-SENG OF CASCADE**

*I want to state to the Police that it had been two months since I have known Dylan Rose. He was a lad who roamed about on the street, begging. He at times was engaged as a "sex worker" with Indians for the cost of Rs50/-. Dylan and I related to each other well where he at times recounted to me how his mother ill-treated him, hence the reason he mostly spent his time on the streets and slept in an abandoned house at Mont Buxton. On Thursday the 18<sup>th</sup> May 2017 at about 20:00hrs I saw Dylan at Barrel. I did not see him for a while and later I saw him again in the early morning where he told me that he was going to take a taxi "pirat" to go home at Mont Buxton to sleep, so I took a lift with him due that I was going to sleep at my brother's place at Mont Buxton namely Bernard Chang-Ty-Seng. It was about 03:00hrs when I alighted from the car with Dylan*

*and we went to an old dwelling house which formerly belonged to the late Abdoulah, upon arriving there, a guy by the name of Willy I do not know his surname and he stay there, I was talking to him and we even smoked a Mahe King cigarette then I left. I wanted to say that there were two other persons sleeping on the floor but I could not recognized them as it was a bit dark. Willy works as casual labour on boats.*

*Signed: N.Chang-Ty-Seng".*

451. **THE PRESIDENT VILLAGE**

452. MR JULES NEVILLE HOAREAU

453. His statement is found at Appendix 49.

454. Mr. Jules Neville Hoareau Chief Executive Officer of the Seychelles Children's Foundation and Miss Rita Antat, Counsellor, President Village, in a joint report, stated that Dylan who was born on 22 June, 2013, bearing NIN 003-0078-1-1-01 was admitted in the President Village on 10 June, 2015, at 3.25 p.m. in the company of Mrs. Nella Michel who is a Senior Social Worker.

455. Following his placement Dylan was welcomed and he was explained the rules and regulations of the President Village. He was also advised on what was expected of him and how he should behave in conformity with the regulations. After that he was assigned to his respective house which consisted of 11 other boys. As he was residing in the village he attended the Anse Boileau secondary school in SL.

456. Some residents had challenging behaviour and it was not long before Dylan formed part of that group. Mr. Jules Neville Hoareau provided the following detailed summary of Dylan's case highlighting a phase of his life spent at the President Village.

457. On 19 June, 2015: Dylan was involved in a disturbance in the village and on the public road opposite the Port Glaud Police station.



458. On 30 June, 2015: Dylan was suspended for two days from school for fighting and causing injury to another student.
459. On 8 July, 2015: Dylan was suspended for five days for causing injury whereby a fellow student was being choked. He also broke a chair. It was said that he was aggressive and uncontrollable.
460. On 15 September, 2015: Dylan was suspended from school for three days for aggressive behaviour, use of vulgar language and causing injury to another student.
461. On 1 October, 2015: Dylan encouraged another resident to climb through the window of the Child Support Officer's room and they ransacked his bag.
462. On 10 October, 2015: Dylan pierced another resident's ear eventhough he knew that this was not an acceptable practice in the village.
463. On 21 October, 2015: Dylan left the Anse Boileau School and went to BeauVallon School to look for one Stelio and other friends who were attending the special education programme with him. They went to Beau Vallon beach where they smoke cannabis and consumed alcohol. Upon his arrival at the Village he was reprimanded by the Manager Mr.Toussaint Melanie whereby he became aggressive and wanted to fight with him. He also threatened to destroy the windows of the administrative block.
464. On 27 October, 2015: Dylan was given two days internal suspension based at the school, for external truancy.
465. 4 November, 2015: Dylan was suspended for three days for external truancy, arrogance towards his teacher, refusal to clean the classroom and disturbances in class.
466. On 5 November, 2015: As part of his suspension Dylan was assigned to community work. He was placed at the Au Cap elderly home. He did all the duties that were

assigned to him but was caught red-handed consuming a bottle of Seybrew beer.

- 467. On 6 November, 2015: Dylan entered the Child Support Officer's room through the window and searched through his personal belongings.
- 468. On 9 November, 2015: Dylan went back to school following his suspension. During the day Mrs. Mariette the Headteacher contacted the Village asking them to come and get Dylan because he and three other boys were roaming around. When they were reprimanded the three boys went back to their class, but as for Dylan he reacted in an aggressive manner and even threaten her with his fist.
- 469. On 12 November, 2015: The Headteacher Mrs. Mariette called the Village regarding Dylan's unacceptable behaviour towards her and other teachers. Since the Village had a good relationship with the Anse Boileau Police Station, the school sought their assistance as a deterrent so that they could reason with Dylan.
- 470. On 13 November, 2015: Dylan was suspended and he was to report to school on 4 December, 2015.
- 471. On 21 January, 2016: Dylan resumed school for the year 2016.
- 472. On 29 January 2016: Dylan was suspended for ten days for external truancy and smoking.
- 473. On 23 February, 2016: Dylan was suspended for ten days for performing vulgar dance in class, hitting another student in the stomach, truancy and vandalism.
- 474. On 15 March, 2016: Dylan was suspended for 10 days for vandalism, truancy, menacing and insulting a teacher. He also harassed a female student sexually.
- 475. On 21 March, 2016: Dylan came to the Village drunk. That day he was supposed to go for attachment at Pam's Catering.

476. On 22 March, 2016: Dylan and another resident were setting fire in the Village. Since the Village management was not able to reason with them Police assistance was sought and as a preventive measure they spent the night in Police custody.
477. On 27 March, 2016: Dylan took the fire extinguisher and sprayed it in the room of a female resident.
478. Apart from the above mentioned, from time to time, Dylan had been involved in gambling at school. At the Village the Management had to deal with him for defiance of rules and regulations, lack of respect for certain staff to the point of being aggressive. He was also involved in mischief alongside other residents who have challenging behaviours Dylan's behaviour was not one that was easy to handle and it had a negative impact and influence on other residents as they were imitating him. He also bullied the younger and weakest residents at times.
479. Having highlighted all of his challenging issues, Mr. Jules Neville Hoareau added that Dylan had his positive sides. He enjoyed community work and was always ready to help in the Village when the need arose. He loved to help in the kitchen which was his favourite place. Although at times he clashed with other residents, he always shared whatever he had.
480. Dylan was able to articulate fluently in English and he also had a sweet voice thus he formed part of the Village Choir Group and he performed in the Christmas show. Whenever he did something wrong he would find a way to charm them with his charisma and even seeking for a hug or caress.
481. Having gone through a rough episode in his life, Dylan always recounted with tears what he had experienced and at the same time added a sense of humour to his story. He loved his mother and never blamed her for his situation. Dylan had dreams. He dreamed of one day becoming a pilot.

482. During his stay in the Village neither his mother nor his father ever visited him. The only contacts that he had with his mother were through frequent telephone calls which the staff at the Village initiated.
483. Dylan was enrolled in the Karate which was held every Saturday morning at the School Meals Centre, although his mother was encouraged to visit him at the venue, she never came. The only family member who visited Dylan and took him for day access twice, was his paternal uncle Mr. Sidonie
484. At the school Dylan was placed on the AEP which was run by the Ministry of Education. Since he did not improve he was also enrolled on the Residential Programme again run by the Ministry whereby he was equipped with necessary skills needed. He was counselled by the School Counsellor on a frequent basis.
485. At the President Village Dylan was counselled by the Senior Counsellor individually and also in a group. In order to minimize the suspension, the Management of the Village devised a special education programme called "*relay space*" whereby his educational, social and vocational needs were met. He was under the supervision of the Education Officer, Senior Counsellor and other staff who had certain skills.
486. Dylan was also attached to Pams' Catering to learn certain skills as he liked being in the Kitchen. Unfortunately he did not respect his programme. He attended normal class at the Anse Boileau School on Mondays and Fridays. During his suspension he did community work in the community. Since he was involved with drugs and alcohol he was referred for counselling sessions at the Mont Royal Centre.
487. As part of his programme the Village also sent him to the Catholic Monks to equip him with social and spiritual skills. They called the Village and said not to send him again.
488. As a deterrent to help Dylan curb his challenging behaviour he was brought to the Family

Squad so that the Officer could talk to him and explain to him the consequences of his actions. From time to time the Village sought the help of the Police Officers from the Anse Boileau station to meet with Dylan and others as part of their prevention programme. The Village also used positive and negative reinforcement such as reward for good behaviour and punishment such as deprivation in participating in social activities in and outside of the Village. He was also given time out to reflect on his behaviour.

489. With regard to relationship with other Agencies, Dylan's placement by Social Services at the President Village was temporary. Anything that happened to Dylan was brought to the attention of his Social Worker. Upon interaction with the Social Worker she pointed out that Social Services were aware about Dylan's case; and that they knew that the President Village was not the place for Dylan. They had nowhere else to place Dylan. Whenever Dylan displayed negative behaviour his Social Worker would counsel him. There were times when the Village *"felt stuck"*, hoping that Social Services would be able to assist, but Social Services were not able to help.
490. The Village Management had a relationship with the NCC because Dylan was referred to them for therapy to control his aggressive behaviour. Unfortunately, as he did not take the sessions seriously, he was asked not to report again.
491. Since Dylan was on the programme offered by the Ministry of Education, whenever he was suspended, they contacted the Student Welfare Unit and the Special Programme Unit to see how they could help him, but he was informed that Dylan had exhausted all the programmes and they have nothing more to offer him.
492. In conclusion, Mr. Jules Neville Hoareau stated that Dylan had gone through a rough episode in his life and by moving in a residential home which is totally different from the life that he was used to, that had an impact on him. Instead of seeing Dylan settle down they saw the opposite. He was cunning and manipulative. Although various agencies were working with him it was to no avail.

493. The Seychelles Children Foundation and the Management of the President Village were saddened that Dylan's placement had not worked. They recommended that Dylan be returned in the care of Social Services.
494. Dylan left the President Village on 18 April, 2016, accompanied by his Social Worker Miss Angele Jeannevole.
495. The aim of the Seychelles Children's Foundation is to support children with special needs. They also provide support and assistance to children with special medical conditions and they are responsible for the operation of the President Village. They receive an annual budget of around Seychelles Rupees 8 million from the Government. They also seek for donations for other projects and programmes.
496. **THE NATIONAL COUNCIL FOR CHILDREN**
497. **MR REUBEN LAVIGNE**
498. His statement is found at Appendix 50.
499. Mr. Reuben Lavigne Counsellor at the National Counsel for Children stated that the case of Dylan was received on Monday 26 October, 2015. The case was put on waiting list at their intake meeting. On Monday 18 January, 2017, Mr. Reuben Lavigne was allocated to this case.
500. Dylan was referred by the Social Worker of English River District, Miss Angele Jeannevol. The presenting issues were - aggressive behaviours and suspension from school on three separate occasions after fighting with his classmates. Dylan was unable to control his anger and properly deal with confrontations. The referral form stated that Dylan was removed from his mother's care due to neglect, physical abuse and behaviour problems. The Social Worker stated that she will continue counselling the child and monitor his progress while continue to work with his mother and other family members.
501. Miss. Rita Antat, the Counsellor, from the President Village accompanied Dylan on all his sessions. Miss Rita Antat provided him with a brief history of Dylan and of his referral to

the President Village. Miss Angele Jeannevol would call for feedback.

502. The first session, on Thursday 28 January, was aimed at building a rapport with Dylan and getting him to talk about the different issues he was going through. Dylan did not talk much. He eventually acknowledged his wrong doings. During the sessions, he expressed that there were no solutions to his problems.
503. Dylan was equipped with skills to identify the causes of his anger and to manage it. It is worth noting that Dylan felt there was no need for him to attend counselling.
504. The next appointment with Dylan was on Thursday 25 February, 2016. During this session, Dylan was even more reluctant to engage in conversation despite many attempts by the Counsellor. At some point he would simply laugh at what was said. Miss Rita Antat was made aware of this and together they tried to explain to Dylan the importance of his counselling sessions. It was suggested that Dylan should take sometime off to think about his resistance towards counselling.
505. This was the last session with Dylan and the case was closed as a result of lack of commitment and interest on Dylan's part, which rendered therapeutic intervention unsuccessful.
506. One year later, on Thursday 26 January, 2017, Dylan found himself back at the National Council for Children. He was brought in by another client who was coming for his appointment with his child. According to that person, Dylan was found sleeping in the street and he had been providing him with food for a few days.
507. Mr. Reuben Lavigne was the Intake Officer on duty that day and was assigned to Dylan. Dylan stated that he had been expelled from the President Village as a result of bad behaviour. Moreover, he expressed feelings of regrets because of his past mistakes which he believed were the reasons why he became homeless. According to him, he was sleeping behind the public toilets at the Victoria Stadium car park when he was assisted by the aforementioned person. Dylan pointed out that his mother did not want him back home.

508. As required by regulations and procedures, Dylan was referred to Social Services on the same day and was personally escorted. He was left with the Director of Social Services, Miss Sylvette Gertrude and the Principal Social Worker, Mrs. Chantal Cadeau.
509. **CAMPAIGN FOR AWARENESS, RESILIENCE & EDUCATION AGAINST SUBSTANCE ABUSE (CARE)**
510. MR ROBERT AHWENG
511. On 20 July, 2017, Mr. Robert Ahweng the Principal Educator/Trainer of CARE submitted a summary record of his involvement with Dylan.
512. In January, 2015, Miss Angele Jeannevol contacted him to see if he would be willing to assist her in dealing with the difficult case of Dylan, then 11 years old, who was showing serious maladaptive behaviour, which included possible substance experimentation. Dylan was struggling at home, at school and within his community.
513. He agreed, following which he met and interacted with Dylan on several occasions in three different settings: in his home environment, at CARE House, at the Seychelles People's Defence Forces Academy, Pointe Larue, and on the Special Programme for Difficult Children of the Ministry of Education. He also interacted with Saviona, Dylan's mother, on a number of occasions.
514. His roles were as follows —
- To provide a safe, supportive and empathetic human contact environment to allow Dylan and Saviona to speak out about their life struggles in confidence
  - To offer psycho-emotional accompaniment to help them better understand the nature of their situation and perhaps become somewhat stronger and more resilient
  - To help steer Dylan away from anti-social and sometimes self-destructive behaviour.



515. His findings contained in paragraphs 27 and 33 of the Report are repeated here.

516. Mr. Robert Ahweng made the following suggestions —

*"We need to collectively strengthen the ability of homes and families to self-protect, e.g. a national educational drive to better prepare youth for parenthood, helping parents cope better with the challenges of modern day parenting..."*

*We need to work more towards a mind-set reform, to embrace a culture of building more conducive living environments, in terms of understanding, respect for, and inculcation of spiritually - based social values, such as learning to live with more nobility and dignity...*

*The philosophy of "it takes a whole village to raise a child", once upon a time observed and practiced in our communities, must be reinvigorated and practiced*

*There are too many risky conditioning environments in our homes, neighbourhoods, media entertainment, cultural practices, districts etc., that make one youth vulnerable*

*Our articulation for a better future is too heavily accentuated on an economic/progress and development model, not balanced by a vision of collective virtuous living by one and all. This can contribute to make our youth have high expectations but low yearning to build strong character in order to achieve their dreams. Moreover, this prevalent mentality can lead to a whole generation fed on the need for "instant gratification"*

*There is a dearth of proper infrastructure, services, and even more so, of ably qualified cadres, to work with children, youth and families. Perhaps this is a huge immediate challenge for the new Ministry of Family to find ways to respond."*

517. In short, Mr. Robert Ahweng is of the opinion that several sources attempted to respond to the complex needs of Dylan and his family. However, Mr. Robert Ahweng believes that we are inadequate.

518. See the statement of Mr. Robert Ahweng at Appendix 51.

519. **PASTER LANWIT**

520. REV. BISHOP CHANG HIM

521. His statement is found at Appendix 52.

522. Rev Bishop French Chang Him stated that it was on Sunday afternoon 30 August, 2015, that he met Dylan at Port Glaud School. That was in the context of the Youth Integrated Support Programme of the Ministry of Education led by Miss. Patricia Francourt, Counsellor. There were some 40 boys of S1 and S2 from Praslin, Mahe and La Digue.

523. Miss. Patricia Francourt had asked him to lead a session on spiritual matters, which he has done every time Miss Patricia Francourt has led such courses, including the Alternative Education Programme.

524. Bishop Chang Him met with some of the boys and some parents after his session that Sunday afternoon. From the notes he made on that occasion, he recorded the following —

- *"Follow up: Dylan Rose, President's Village. Mother on drugs. 2 siblings. Asked for prayer for family reunion/same roof." (Meaning: He wanted his family to be re-united)."*

525. Unfortunately, Bishop Chang Him did not manage to follow up because of the distance. They would often share the outcome of the sessions, follow up and results.

526. It was with much sadness that Bishop Chang Him learnt of the death of Dylan and the circumstances leading to his death.

527. MRS. IRENIE FOCK TAVE

528. The statement of Miss Irenie Fock Tave is found at Appendix 53 and is reproduced

hereunder with slight modifications —

*"Mrs. Irenie Fock Tave was introduced to Dylan and his mother by Miss Julietta Belle who at that time was working alongside her as a part-timer. As Miss Julietta Belle knew that Mrs. Irenie Fock Tave is the vice-Chairman for CARITAS Victoria and also a Board Member of Sesel Paster Lannwit, so Miss Julietta Morel asked Mrs. Irenie Fock Tave if there was any way they could help Dylan's family as Dylan does not want to go back to school and the mother had just given birth and the new born was about one month old.*

*Miss Julietta Belle also mentioned that Dylan just got out from the President Village and he was only 12 years old. Mrs. Irenie Fock Tave got the phone number of Dylan's mother and she later called Saviona. Saviona cried and told her that her water and electricity had been disconnected since she could not pay the bills; and that she had no food to give her children. Saviona told Mrs. Irenie Fock Tave that she also has a toddler of two years old; and that she had no food to give her. At that time, Mrs. Irenie Fock Tave could hear the little girl crying in the background, so she asked Saviona if it was ok for her to come and visit her at home, to which Saviona agreed.*

*Mrs. Irenie Fock Tave called the chairperson of CARITAS Victoria, Mrs. Innocente Francourt and updated her on the case and they agreed to go and see Saviona the same day.*

*On the way they bought juice and bread and took to Saviona. They were met by Dylan near the road side and he took them to their house. They were welcomed very nicely and Saviona started telling them of the problems that she was encountering with Dylan. They enquired whether she was getting any assistance from the Social Services and she said yes, but she added that it was not enough to buy food as she had to pay her housing loan and buy pampers for the baby i.e. for the new born and the two-year-old girl.*

*Mrs. Innocente Francourt and Mrs. Irenie Fock Tave decided that CARITAS had to assist her somehow. Saviona also showed them all the dirty clothes that she could not wash as she did not have the facility to do so. She said that Dylan helped her to wash the clothes in the bathroom as she was not feeling well after having just given birth.*

*Back at the RC Mission Victoria, they discussed the case with Father Alcindor and it was agreed to assist with some funds from CARITAS*

Victoria. With the funds **they paid her water and electricity bills.** They also bought some food and necessary items so that Saviona could have some food for the month. Mrs. Irenie Fock Tave also called the Social Services and brought the case to their attention. Mrs. Irenie Fock Tave was told that the Social Worker who was attending to Saviona's case was on leave; and that they cannot do anything about it until she got back from leave.

It was decided to buy the family a washing machine to alleviate their problem. They also spoke to Dylan and told him how important it was for him to go back to school. Dylan told them that he preferred to go to work to help his mother as he thought that he was the only one who could take his mother out of her misery. Dylan also mentioned that he was being bullied at school because he was fat and nobody liked him so it makes no sense for him to go back to school. While talking to Dylan Mrs. Irenie Fock Tave realised that Dylan was sad and did not want to tell them everything in the presence of his mother, so Mrs. Irenie Fock Tave asked Dylan if he would like to go for a ride with her where they could talk as Mrs. Irenie Fock Tave wanted to convince him to go back to school and also to find out more about his problems. Dylan was happy to do so.

The next day Mrs. Irenie Fock Tave picked up Dylan from home and drove around town. Dylan told her that he felt that nobody loved him. Mrs. Irenie Fock Tave asked him about his family and Dylan told her that his father named Daniel Sidonie was in prison, but he did not know him that well but loved his ex-step father so much. His ex-step father was very busy and did not contact him anymore. Dylan also told Mrs. Irenie Fock Tave that he was being bullied at school because he was fat so there was no sense for him to go back to school. He also stated that even the Headteacher did not like him. Mrs. Irenie Fock Tave asked him if he wanted her to go and talk to the Headteacher and he was happy for her to do so.

Mrs. Irenie Fock Tave went to the English River School and sought for an interview with the Headteacher, Mrs. Marie-Claude Morel. The latter agreed to see her and Mrs. Irenie Fock Tave discussed Dylan's problem with her and she agreed to take Dylan back at school with the condition that Saviona also came to see her. Mrs. Irenie Fock Tave went back to Saviona and told her of the Headteacher's condition to which she agreed.

Dylan appeared happy to go back to school but he told Mrs. Irenie Fock Tave that he did not have a school bag, clothes and shoes. He had a pair of slippers with a big hole in both heels. Mrs. Irenie Fock Tave looked at him and could see the sadness, the uncertainty and

*the innocence of a child in his eyes. Mrs. Irenie Fock Tave did not feel comfortable to go back to Father Alcindor to ask for some more funds as she knew that CARITAS did not have much funds. She took Dylan shopping for school materials.*

*Dylan and Mrs. Irenie Fock Tave set a rendezvous for the next day to meet by the Cathedral at 9 o'clock to go shopping. The next morning, Mrs. Irenie Fock Tave got to the Cathedral at 10 minutes to 9 and Dylan was there sitting on the steps waiting for her. They then went shopping in town. Dylan was allowed to choose a school bag of his choice and all the other things he needed for school. Mrs. Irenie Fock Tave also bought him 8 underpants since he had told her that he only had 2 left, which he came home with from the President Village.*

*While they were almost done with shopping, Dylan held her hand and looked at her and said – "miss do you go to church sometimes?" Mrs. Irenie Fock Tave looked at him and smiled. She replied – "why do you ask me this question?" he said – "because I would like to start going to church again to pray for you and to thank God for everything you are doing for me, but I don't have clothes to go to church." Mrs. Irenie Fock Tave asked him – "do you really want to go to church?" he said – "yes miss I am serious." Mrs. Irenie Fock Tave and Dylan went back to Market Street and started to search for clothes for church. The money that was left was not enough to buy shoes so Mrs. Irenie Fock Tave told him to wear the pair of sleepers she had just bought him. Dylan agreed.*

*They went back to the car and Mrs. Irenie Fock Tave drove him home. When they got there Dylan took all his plastic bags and stood by her car and did not move. Mrs. Irenie Fock Tave got out of the car and asked him what was the matter, and he said – "miss I am very happy and I will always pray for you but I know that Miss Marie Claude will not accept me at school on Monday". Mrs. Irenie Fock Tave asked him what made him think that Miss Marie Claude will not accept him at school since everything had been sorted out and Miss Marie Claude had said he could come back to school. Dylan said – "miss you don't know Miss. Marie Claude she is very strict she will never accept me with my hair like this". Mrs. Irenie Fock Tave asked him - "Dylan your Mum doesn't know anybody who can give you a haircut" and he said no, since he had been back from the President's Village he had not had a haircut. Mrs. Irenie Fock Tave told him not to worry, go home for now and enjoy trying his new clothes and she would give him a call that night.*

*When Mrs. Irenie Fock Tave got home she told her husband about*

*the day with Dylan and also how disappointed he was because he did not get the long trousers and the shoes. Her husband gave her two pair of shoes and told her to let him try them and if they fit then to give them to him so that he could feel comfortable to go to church.*

*Mrs. Irenie Fock Tave also called Miss Julietta Belle to let her know that Dylan will be going back to school on Monday but he was worried about his hair. Miss Julietta Belle told her not to worry she will call the barber that cuts her son's hair and asked for a haircut for Dylan and she did. Mrs. Irenie Fock Tave then called Dylan and asked him to come back to town the next day Saturday so that he could go for the haircut. After the haircut Mrs. Irenie Fock Tave picked him up and gave him the two pairs of shoes and took him back home. Dylan was very happy and on the way home he asked her – "miss when do you go to church, do you go on Sundays or Saturdays?" Mrs. Irenie Fock Tave told him that it depends sometimes she goes on Sundays and sometimes on Saturdays, but that day she was going on Saturday because she was on Duty for Sesel Paster Lannwit that night; and that she will wake up late on Sunday. Dylan was so eager to know about Sesel Paster Lannwit that he wanted her to tell him about what she did. I promised to tell him him next time.*

*Mrs. Irenie Fock Tave went to church that Saturday at 4:30 pm. After mass she heard a voice calling – "miss, miss", when she turned around it was Dylan who was well dressed and smiling – "he said, miss I told you that I was going to come to church and I did and I also prayed for you". Irenie said to him – "thank you Dylan I am so proud of you". She then introduced Dylan to her husband and Dylan asked her – "miss do you always come to church with your husband?" – Mrs. Irenie Fock Tave said yes Dylan. He then asked Mrs. Irenie Fock Tave whether he could come with her next Sunday. She told him that he could come to church whenever he wanted; and that he could ask his Mum to come with him. He answered that she will never come because Grace (Dylan's little sister) would never keep quiet and Isham cried all the time. She asked him if he has a grandmother and he said yes and she always come to church. Mrs. Irenie Fock Tave told him to ask his grandmother if he could come to church with him. He said that he did not think that she will because she did like him and that she will never walk with him in town not even in front of a church. Mrs. Irenie Fock Tave told Dylan not to say that, and also told him that maybe sometimes he was naughty and his grandmother was sad but that did not mean that she did not love him. Dylan replied – "miss I know she don't I will prove it to you one day". Mrs. Irenie Fock Tave then asked him for a favour and told Dylan - when you get home today go to her place just like*

*you are and tell her that you came from church and you would like to go with her next Sunday. Mrs. Irenie Fock Tave promised to call him the next day for Dylan to tell her what she said.*

*The next day in the evening Mrs. Irenie Fock Tave called Dylan who was so happy and he told her "miss my Mum just finished iron my Uniform for tomorrow and my grandmother said its ok I can go with her to church next Sunday". Mrs. Irenie Fock Tave said to him that was very good news and she was very happy for him. Mrs. Irenie Fock Tave started to see some hope in Dylan's life then she promised him that she will call him the next day after school to see how he was.*

*The next day Monday at around 10.30 a.m. Mrs. Irenie Fock received a call from the school Headteacher, who told her that Dylan did not turn up for school and she was expecting him and his Mum. Mrs. Irenie Fock Tave was very disappointed so she called Saviona to find out what happened and why they did not go to school. Saviona replied that she could not get anybody to look after the two-year old and the new born baby so she could not go. While Mrs. Irenie Fock was arguing with Saviona because she did not take Dylan to school, he took the phone and apologised for not keeping his words and he ask Mrs. Irenie Fock to do him a favour. Mrs. Irenie Fock was so upset that she asked him "What do you want now?" Dylan said "miss forgive me for disappointing you but if I give you the telephone Number of my grandmother will you please ask her if she can look after my baby sister and brother". Mrs. Irenie Fock asked him why he did not ask his mother to do it and he said that his grandmother was not on talking terms with Saviona so she could not ask her. Dylan gave her the number and she called the grandmother who was so polite and sounded very happy when Mrs. Irenie Fock Tave told her that Dylan will be going back to school. She said that she definitely will look after them if Dylan was going back to school, but only for two hours. Mrs. Irenie Fock called back the mother and told her that it was ok to take the kids to her mother's place the next day. They were both very happy of the good news.*

*The next day at around 6:30 p.m. Mrs. Irenie Fock Tave called Dylan to find out how was his first day at school. He said that he was happily welcomed by the whole class and the Headteacher was very nice to him. He was happy to go back the next day. Mrs. Irenie Fock Tave did not call him again until the Sunday when she received a call from him at about 9 a.m. and he sounded very upset. Dylan told Mrs. Irenie Fock Tave that his grandmother promised to go to church with him but when he got there she was already gone. Mrs. Irenie Fock Tave calmed him down and told him to stay home that*

*day and he could go next Sunday.*

*At that time, Mrs. Irenie Fock Tave realised that Dylan was seeking for love and he needed some professional counseling so she contacted Sister Alice Vivien at the St Joseph Convent and asked her if she could assist Dylan with counseling. Unfortunately, Sister Alice was leaving for overseas mission and told her to talk to Sister Nitta maybe she will be able to help until she gets back from overseas. Mrs. Irenie Fock Tave spoke to Sister Nitta and she was saddened about Dylan and told Mrs. Irenie Fock Tave to ask him to come and see her on Tuesday after school, which Dylan did.*

*The Wednesday evening Saviona called Mrs. Irenie Fock Tave and asked her if she could talk to Dylan because he was saying that he was not going to school again. Mrs. Irenie Fock Tave talked to Dylan who told her that the head teacher saw him outside the classroom while the lesson was going on and she asked him to bring the lunch pass to the office and he will not get lunch anymore because he was found outside the classroom. Dylan added "miss I stayed hungry the whole day and he said how can I go to school when I am not allowed to have some lunch?" Mrs. Irenie Fock Tave told Dylan to go to school the next day and she will make sure he gets some lunch. The next morning, Mrs. Irenie Fock Tave called the school and talked to the head teacher who asked her to come and see her the next day together with Saviona. Mrs. Irenie Fock Tave called Saviona who refused to see the headteacher. For the sake of Dylan, Mrs. Irenie Fock Tave went alone and had a long meeting with the head teacher after which she decided to give Dylan back his lunch pass.*

*For the next 2 days while Mrs. Irenie Fock Tave negotiated with the headteacher. Mrs. Irenie Fock Tave brought food for Dylan and left it with the Security Guard at the gate. Dylan was very encouraged to stay in school. During some conversation with Dylan he told Mrs. Irenie Fock Tave that sometimes he slept on the stairs at the building where he lived and sometimes in an old store not far from his home. Mrs. Irenie Fock Tave called the Social Worker to alert them that Dylan was sleeping outside. **The person she spoke to, told Mrs. Irenie Fock Tave that they were aware of it, but the person looking after his file was still on annual leave but she will remind her when she is back.***

*In the meantime Mrs. Irenie Fock Tave started to search for a place for Dylan but there was nowhere to put him. A few days later saviona told Mrs. Irenie Fock Tave that Dylan had been suspended from school. Mrs. Irenie Fock Tave called the headteacher again,*



*who asked her to come to school with Saviona. Irenie talked to Saviona who hesitated to go.*

*Mrs. Irenie Fock Tave called Mr. Philip Wong who was a teacher at Independent school and also a member of CARITAS Victoria and asked them to tell Saviona how important it was for Dylan to stay in school. Mr. Philip Wong did and Saviona agreed to go with them to see the headteacher. When they got there they met with the headteacher and one of her senior staff. The headteacher told them that she saw Dylan smoking in the school compound and that was the reason why he was suspended. Mr. Philip Wong asked Dylan to ask for forgiveness. Dylan insisted that he was not the one who was smoking. The headteacher asked them to leave and come back when Dylan had decided to tell the truth. They all left together with Dylan. Saviona did not want to take Dylan back home because she was upset. Mr. Philip Wong left and Mrs. Irenie Fock Tave took Dylan to Father Alcindor whom she thought would be able to talk to Dylan. Dylan insisted that he was not smoking. They left Father Alcindor's office and Mrs. Irenie Fock Tave took Dylan back to his home.*

*Afterwards Mrs. Irenie Fock Tave called the headteacher and told her of the meeting with Father Alcindor and asked her if she would reconsider taking Dylan back to school as he had insisted that he was not the one who was smoking. In spite of this, the headteacher replied that she will still not accept him back at school. Mrs. Irenie Fock Tave called Saviona and asked her to get in touch with the Social Worker.*

*A few days later Mrs. Irenie Fock Tave called Saviona and asked her if she had spoken to the Social Worker and she said that Miss Angele Jeannevol was back and would talk to her. She said that Dylan was now sleeping on the street. Mrs. Irenie Fock Tave tried to look for Dylan around Krishnamart shopping centre where he normally hanged out but she could not find him. Mrs. Irenie Fock Tave alerted her colleagues in the Sesel Paster Lannwit Team and asked them to be on the look out for Dylan.*

*One day Mr. Raymond St Ange who was aware of Dylan's problem called her and said that he had Dylan with him and Dylan would like to talk to her. Mrs. Irenie Fock Tave spoke to Dylan and asked him to go back home and stay home and that sleeping on the street was not good for him. St Ange told Irenie that he bought Dylan a take-away meal and that he will spend some time with him at his office talking to him and then later he will take him to his home.*

*Later that same afternoon Mr. Raymond St. Ange called Mrs. Irenie Fock Tave and told her that he had taken Dylan to Saviona; and that he had a long conversation with her and Dylan agreed to stay home. About an hour after Mr. Raymond St. Ange had left Saviona called Mrs. Irenie Fock Tave who heard Dylan screaming in the background saying that Saviona had hit him and he was going back on the street. As it was a Saturday, Mrs. Irenie Fock Tave called Rev Christine Benoit of Sesel Paster Lannwit's Team and asked her to look out for Dylan while they were doing their patrol because Dylan was not listening to anybody. Mrs. Irenie Fock Tave also called Mr. Raymond St. Ange to brief him on Dylan's situation.*

*Somehow Mrs. Irenie Fock Tave managed to get in touch with Dylan by telephone and told him to go and sleep by the Domus at the Cathedral which was safer than on the street. Mrs. Irenie Fock Tave alerted Rev Christine Benoit about it. The next morning Rev Christine Benoit called Mrs. Irenie Fock Tave and informed her that they had not seen Dylan.*

*On Monday morning Mrs. Irenie Fock Tave started to look for Dylan. Mr. Raymond St Ange told her that he had already alerted his Minister and all parties concerned. That same day Mrs. Irenie Fock Tave got a call from Sister Alice telling her that Dylan came to her place. He had a shower and something to eat. Sister Alice told Mrs. Irenie Fock Tave that Dylan spoke to them for a while. Mrs. Irenie Fock Tave told Sister Alice to keep Dylan at her place while she got in touch with Miss Angele Jeannevol. Mrs. Irenie Fock Tave drove to Sister Alice at the Convent and told Dylan that he will need to come back the next day to meet with them and the Social Worker.*

*The next day Dylan turned up at the Convent before Mrs. Irenie Fock Tave and the Social Worker. Mrs. Irenie Fock Tave called Saviona to let her know that Dylan was at the convent. Saviona told Mrs. Irenie Fock Tave that someone had showed her a video on a mobile phone - some Indian workers were abusing Dylan sexually. Saviona tried to get the phone from the guy, but he deleted the video and ran away. Mrs. Irenie Fock Tave asked her to alert the Police; and Saviona said that she had already alerted the Social Worker and that they were working on it. They discussed that situation with Dylan. He denied the indecent act. He told them that he got some money from a back pack which he found in a dustbin. They asked him what he did with the money. He said that he bought a play station, a second hand television for Saviona, three games for the play station. He gave Seychelles Rupees 1,000.00/- to one of his friends who used to give him take away. He spent two nights at a hotel. Dylan added that he spent one night in jail because the Police*

*said that he broke in a car and stole the money which he denied. Then they all left.*

*In the meantime, Dylan occasionally passed by at the Convent for food and shower where the Sisters, Alice and Nitta talked to him. For the last four months before he died, Mrs. Irenie Fock Tave did not have contact with Dylan because he was in Police custody at Perseverance Police station. However, Mrs. Irenie Fock Tave occasionally called Saviona to find out about him. Three days before Dylan passed away, Mrs. Irenie Fock Tave met Saviona at the hospital with her baby. Mrs. Irenie Fock Tave enquired from her about Dylan and she said that she did not know exactly where Dylan was but he was out of custody and was back on the street. When Mrs. Irenie Fock Tave left the hospital she called the Social Worker Miss Angele Jeannevol and Mrs. Irenie Fock Tave told her that she met Saviona who informed her that Dylan was back on the street; and that she also did not know where he was. **Miss Angele Jeannevol said that she knew that Dylan was back on the street; but the main focus was on the little baby, they could not do anything for Dylan because they did not have somewhere to put him.***

*Two days later in the morning Mrs. Irenie Fock Tave got a call from Miss Julietta Belle informing her that Dylan had died. Miss Julietta Belle added that Saviona wanted Mrs. Irenie Fock Tave to come to Mont Buxton to see her and give her support. Unfortunately, Mrs. Irenie Fock Tave could not go."*

529. REVEREND CHRISTINE BENOIT

530. Reverend Christine Benoit, the Holy Saviour's Parish Priest of the Anglican Diocese of Seychelles, and a member of Sesel Paster Lannwit made the following statement regarding Dylan (Appendix 54).
531. Reverend Christine Benoit stated that as a board member of Sesel Paster Lannwit and the team leader of 'Rev Revellers' (comprising of 6 other members) she had not personally encountered Dylan. She has heard his name being mentioned and his situation discussed at some of the Sesel Paster Lannwit meetings.
532. On Saturday 14 January, 2017, her Sesel Paster Lannwit team was on duty and in the evening before taking duty, she, the team leader, received 2 phone calls from Sister Alice

and Mrs. Irenie Fock Tave (both Sesel Paster Lannwit board members) informing her of Dylan. The message that both gave was the same, stating that they should be on the look out for Dylan a 13 year old boy on the street; and that he usually sleeps at the RC Cathedral (Domus) and at times at the Bus Terminal. She was informed that Dylan spent the day at Mr. St. Ange (another board member of Sesel Paster Lannwit) office, where he was fed and as Mr. St. Ange was going home, he had asked Dylan to go by the RC Cathedral (Domus) and that the Sesel Paster Lannwit team on duty will assist him. That information was shared with the other team members of Rev Revellers before they departed for their street duty at 10 p.m. on 14 January, 2017. Their concern as a team was that the boy needed to be referred to Social Services.

533. The boy was not at the RC Cathedral (Domus). They went round the town area that night with the intention of locating the boy. They did not find him.

534. **CARITAS**

535. MISS INNOCENTE FRAN COURT

536. Her statement is found at Appendix 55.

537. Miss Innocente Francourt stated —

*"Lannen pase en zanmi, Mrs. Irenie Focktave, ti met a nou latasyon ki i annan en La fanmiy Rose ki reste Union Vale ki dan bezwenn e nou koman en group saritab noun al rann visit pou regard sitiasyon sa fanmiy.*

*E depi sa noun ede manyer nou kapab dan diferan fason. Dylan pa ti pe al lekol, noun fer nou mye ki inn retourn lekol. Irenie ek Msye Philip Wong ti interveni kot lekol pou sa arive me malerezman avek bokou difikilte Dylan inn ganny met deor lekol ankor, e depi sa Dylan inn reste dan semen.*

*A plizyer fwa ki inn dan semen monn koze nou de Dylan kinn toutan anvi retourn lekol me son parol sete – "Zott pa oule mwan kot sa lekol".*

*Mwan avek Irenie noun deza koz avek Mrs. William kot sosyal e I ti dir nou ki I oukouran tou sa ki nou ti dir, me nanryen pa ganny fer menm.*

*Monn koz ek Dylan plizyer fwa lo semen e monn osi call Sosyal pou met a zot latensyon ki Dylan pa merit dan semen e enpe son bann aktivite ki i pe fer dan semen, zot inn toultan repon ki zot konnen me napa landwra pou met li.*

*Irenie ti manm Caritas ki ti pli aktiv dan ka Dylan e nou ti ganny update sak fwa ti annan meeting".*

538. **RELIGIOUS CONVENT**

539. SISTER NITA SERVINA OF THE CONVENT OF ST JOSEPH OF CLUNY

540. Her statement is found at Appendix 56.

541. Sister Nita Servina of the Convent of St Joseph of Cluny got to know Dylan in June, 2016, when Mrs. Irenie Fock-Tave came with him to the Cluny Provincialate in Victoria, at St. Joseph Convent, to see Sister Alice, who stayed at the Provincialate together with her, as she wanted Sister Alice to counsel Dylan who was playing truant at school.

542. The first time Dylan came, he was accompanied by Mrs. Irenie Fock Tave and that day he had lunch with them and then afterwards Sister Alice met him on his own. Dylan came again the week after and again he had lunch with them before his counselling session. During lunch he asked them if a boy could enter the Convent. He stated that if it was possible then he would do it, which will give him a place to sleep.

543. Sister Alice left the country on 28 June, the week after Mrs. Irenie Fock Tave brought Dylan to her. Dylan came to her twice during Sister Alice's absence and then he did not come again for a good while. Sister Alice came back in mid-September.

544. In her conversation with Dylan, she realised that he was very concerned about having a

better life - he aspired to it although at times Sister Nita noticed through their conversation that he was rebellious at the same time. He was quick to react and sometimes even violently - the first time Sister Nita talked to him she asked him what his surname was, he answered ROSE. Sister Nita said - *"like in Zoli Roz"*. Dylan responded - *"Pa seye, mwa bez ou"*. Sister Nita was taken aback by this reaction and she asked him about it. He said that is why he does not like school because the other students teased him about his surname and - *"sa I fer li ankoler"* and he fought.

545. After Sister Alice's return Dylan came a few times then he stopped coming for a while. Early this year (2017) he started coming back early in the morning so that he could get some breakfast since he was on the street. He will come very dirty and smelly. They would give him soap and a towel. He would wash himself behind their house after breakfast. He always said: *"en zour Bondye pou get mwan"*. Eventually he stopped coming to the Convent altogether and they heard that he was in the cell (kaso). They never saw him again even after he was released until his death.

546. SISTER ALICE VIVIEN OF THE CONVENT OF ST JOSEPH OF CLUNY

547. Her statement is found at Appendix 57.

548. Sister Alice Vivien is also a Street Pastor and working with Mrs. Irenie Fock-Tave. She would meet Dylan late at Market Street sometimes. He was taken to them (Convent) by Mrs. Irenie Fock-Tave 2 or 3 times when she wanted to help him to go back to school. Dylan had shared their meals at lunchtime.

549. One day Dylan slept in front of their door. He had a bath and breakfast.

550. Sister Alice Vivien stated that she was concerned that a young boy was on the streets. They talked to him. Dylan loved his family. He wanted to work and bring money to his mother. He had a good heart.

551. **INDIVIDUAL**

552. MR. FRANKY MADELIENE

553. His statement is found at Appendix 58. Attached to his statement are printed photographs of his son who is staying at the President Village.

554. Mr. Franky Madeleine of Anse Royale was in attendance at the Inquiry that morning and he volunteered to give certain information. He stated that he is interested in this case because he has a son at the President Village. He has visited the Village very often. He offered to make a written report.

555. On 14 July, 2017, Mr. Franky Madeleine, as a "*Citizen and Concerned Citizen*", wrote to the Commission stating that, for the record and concerning the matter of young Dylan who was found dead on Friday 19 May, 2017, he would like to add the following.

556. He stated that it is not true that Dylan was a bully and would prey on smaller children. He found such view emanating from the concerned authorities namely state schools and the President Village as unacceptable.

557. Dylan was a bright child, who had dreams and wanted to do something positive. The circumstances in his life – the lack of a father figure, a distressed mother, poor living conditions, perhaps lacking self-worth as society and authorities looked down on him, in his mind, compounded Dylan's problems. Mr. Franky Madeleine stated that Dylan faced pressures which went undetected. Dylan suffered when he was denied access to and lunch at school. When he was not allowed in school, he was on the streets permitting others to take advantage of him.

558. Mr. Franky Madeleine questioned whether those working in the President Village really had the best interests of the children at heart. He however, recognised that some workers were dedicated to the children.

559. He was concerned about others like Dylan and the 50 so called delinquents, the treatment

of whom he questioned.

560. Mr. Franky Madeleine stated that on 15 April, 2016, Dylan was moved out of the President Village and found himself back on the streets. In hindsight he thinks that we can safely deduce that had more resources been put at the disposition of Dylan today he would not be writing this letter to the Commission.



561. **CHAPTER 7:- CONCLUSION OF THE COMMISSION AS TO WHAT MAY HAVE OCCURRED TO DYLAN**

562. There is no conclusive evidence that Dylan died due to DRUGS ABUSE. The post-mortem report does not reveal evidence of any traces of drugs in his body.

563. Dylan was foaming at the mouth. He had vomited prior to his death. What he had thrown up was not collected for clinical examination.

564. The Post-Mortem Report states that the stomach of Dylan was empty. However, it is a known fact that Dylan enjoyed his food and the Commission assumes that Dylan would have eaten something earlier that night, when he was in the vicinity of the *"Barrel Discotheque"*. (The Commission notes that post mortem was done only on the third day after his death).

565. The Police stated that there was a puncture mark on his left hand and a small dot of red substance suspected to be blood at the time his body was collected, from the old house, at Mont Buxton, to be taken to the Mortuary. The post mortem report did not report about that fact.

566. It is the Commission's view that the post mortem report does not reveal the underlying reasons that caused Dylan to die of – (1) severe pulmonary edema; (2) heart failure; (3) hypertrophy cardiomyopathy.

567. The Police suggested that there was no evidence of foul play.

568. The Commission concludes that such a finding by the Police was rash and unsubstantiated for the following reasons —

- (A) it is the Commission's view that the possibility of a homicide cannot be ruled out in view of the fact that a toxicological examination had not been performed on the

sample collected at the time of the post mortem and handed to the Police. The Police informed the Commission that the sample had been sent for examination; and that the toxicology result was expected after three months. At the conclusion of the Inquiry, the Police had not obtained the result;

- (B) after having collected the body of Dylan and taking it to the mortuary the Police did not draw the attention of the health authority to the puncture mark and the dot of red substance suspected to be blood. The Police should have communicated that fact to the health authority, the history of Dylan and requested an urgent post mortem to be conducted;
- (C) it further notes that Dylan was foaming at the mouth and, therefore, it was reasonably expected that a sample of it should have been taken for laboratory examination; and that his clothes should have been kept for analysis;
- (D) the Police clearly did not carry out a proper detailed investigation in relation to the events leading to the death of Dylan in all the circumstances of this very sad case.

**569. Dylan's Mother – Saviona**

- 570. Saviona and her two known co-habitees have been abusing hard drugs for a very long time.
- 571. Saviona is a known addict of hard drugs – e.g. heroin etc., and satisfying her habit and addiction was her main priority to the detriment of her family.
- 572. Saviona has two other very small children who are being brought up in the same way.
- 573. When Saviona is under the influence of drugs she behaved inappropriately, including having sex in the presence of Dylan.
- 574. She used funds given to her for her family's wellbeing to buy drugs.
- 575. The two other very small children of Saviona who are being brought up in the same way

are at risk of suffering a similar fate.

**576. The Social Services**

577. Social Services through its Social Workers, in particular, Miss Angele Jeannevol, did their utmost to assist Saviona and her family.

578. Social Services could not have done more for Dylan in view of the fact that for a very long time they have been advocating strongly for a home to cater for juveniles at risk or an appropriate temporary accommodation, more support from qualified and specially trained case workers and human and material resources to ensure that any such programme is sustainable.

579. It is the Commission's considered opinion that Social Services and its staff are beyond reproach in the present circumstances, including the manner they have dealt with Dylan and his family.

**580. Ministry of Education**

581. The present Educational system is not equipped to appropriately deal with students with such behaviour problems. School personnel and teachers should not be expected to manage such kids to the detriment of their formal function of teaching.

582. **CHAPTER 8:- RECOMMENDATIONS OF THE COMMISSION**

583. **Cause of Death**

It is the recommendation of the Commission to leave the issue of what happened to Dylan open and that the matter be investigated further by the relevant authorities. The Commission therefore recommends that the Commissioner of Police be directed to investigate further the death of Dylan. The Commission recommends that the Police when investigating cases of this nature to consider all possibilities before reaching such rash conclusions. It is crucial that the toxicological examination be carried out on the sample and the toxicology result obtained as a matter of urgency.

584. **Saviona**

585. Social Services should, in accordance with the law, remove the other two children from the care of Saviona and placed them in appropriate facilities. It is not understood why that approach has not been pursued so far.

586. Saviona should be assisted by the system in place to get over her habit and addiction so that she may gradually take up employment and eventually care for her children.

587. **Social Services – Facilities**

588. Social Services must, as a matter of urgent priority, be provided by the State with —

(1) three essential basic facilities, namely —

(A) A Juvenile Remand Centre as required by law

(B) Young Offenders Treatment and Rehabilitation Centre

(C) Halfway Home for high-risk children; and

- (2) more support from qualified and specially trained case workers and human and material resources to ensure that any such programme is sustainable.

589. **CHAPTER 9:- SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS**

590. It is the view of the Commission that there has been a serious lapse in the investigation into the death of Dylan. The Police have rashly concluded that there was no foul play and then closed the matter as to Dylan's death associating it only with (1) *severe pulmonary edema* (2) *Heart failure*. (3) *Hypertrophy cardiomyopathy*. It is the recommendation of the Commission to leave the issue of what occurred to Dylan open; and that the Police continues to investigate the matter further. It is also recommended that the Police when investigating cases of this nature especially one involving a vulnerable young person to consider all possibilities and not rush to conclusions.
591. The Commission recommends that services of a Forensic Pathologist should be obtained to assist in the investigation of serious crimes involving unexplained sudden death.

592. **CHAPTER 10:- ACKNOWLEDGEMENTS**

593. The Commission thanks the Secretary/transcriber to the Commission Miss. Cecile Boniface, Miss. Jacqueline Port-Louis Court Orderly and Process Servers. The Commission also thanks all personnel, Institutions and individuals who have kindly responded to its requests. A special thank you to the Judiciary which enable the Commissioner to perform its functions.

The Commission requested from the Ministry of Finance authority to disburse around Seychelles rupees 50 000.00/- for this purpose, which was duly approved. Only about Seychelles rupees 30 000.00/- was used by the Commission.

594. **CHAPTER 11:- APPENDICES**

- 1** Appointment letter
- 2** Oath of Commissioner
- 3** Official Gazette
- 4** Public Notice (Nation/TV)
- 5** Letter to Institutions
- 6** Birth certificate of Dylan Rose
- 7** Death Certificate of Dylan Rose
- 8** Printed Photo of Dylan Rose
- 9** Dylan Rose's statement to the Police (creole and translated version)
- 10** Handwritten note of Dylan Rose
- 11** Saviona's statement to the Police
- 12** Proceedings of 21.06.2017 at 9 a.m.
- 13** Statements of Mrs. L. William-Melanie
- 14** Chantal Cadeau
- 15** Statement of Nella Michel
- 16** Statement of Angele Jeannevol
- 17** Statement of Odile Octave
- 18** Statements of Patricia Francourt
- 19** Statement of Beryl Botsoie
- 20** Statement of Marie-Claude Morel
- 21** Statement of Merna Naiken
- 22** Statement of Desiree Hermitte
- 23** Statement of Catriona Monthy + USB
- 24** Statement of Marie-Antoine Bethew
- 25** Statement of Brenda Confait
- 26** Statement of Louisianne Laval
- 27** Statement of Vanessa Hertel
- 28** Statement of Anne-Marie Elizabeth



- 29** Report of Dr. Mirna Batista Santos
- 30** Proceedings of 21.06.2017 at 2 p.m.
- 31** Undated letter from Dr. Louange
- 32** Report of Anna-Lisa Labiche
- 33** Statement of Bernadette Rosalie
- 34** Statement of Gervais Henrie
- 35** Emails - Dr. Mathilda Twomey
- 36** Report of Judge Laura Pillay
- 37** Report of Mr. George Robert
- 38** Report of Marcus Simeon
- 39** Report of Lt. Col. Edwards Anacoura
- 40** Report of Major Jude Raoul
- 41** Statement of Supt. Francois Freminot
- 42** Statement of ASP Hendrick Leon
- 43** Statement of Sgt. Travis Pointe
- 44** Statement of Sgt. Sultan Amice
- 45** Statement of Corp. Margaret Thelemaque
- 46** Statement of Sgt. Figaro
- 47** Statement of Nelson Chang-Ty-Sing
- 48** Statement of Christopher Ah-Kong
- 49** Report from President's Village
- 50** Report from NCC
- 51** Report from CARE
- 52** Report from Bishop French Chang-Him
- 53** Report of Irenie Fock-Tave
- 54** Report of Rev. Christine Benoit
- 55** Report of Innocente Francourt
- 56** Report of Sister Nita Servina
- 57** Report of Sister Alice Vivien
- 58** Report of Mr. Franky Madeleine with some photos of his son.